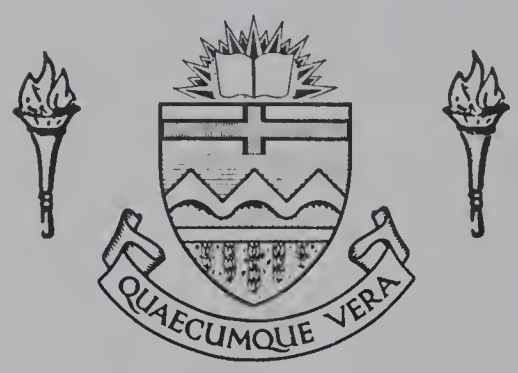

THE UNIVERSITY OF ALBERTA

STAFF RELATIONS IN THE FEDERAL PUBLIC SERVICE: A STUDY OF JOB CONSCIOUS UNIONISM

BY

© SURJIT SINGH KAMRA

A THESIS

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The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies for acceptance, a thesis entitled Staff Relations in the Federal Public Service: A Study of Job Conscious Unionism

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ABSTRACT

Staff associations in the federal public service, since their beginning, have concerned themselves with obtaining improvements in the working conditions for their members and some control over the affairs of the work place. Perlman's theory of job-conscious unionism seems to provide a framework which explains many aspects of the origin and behaviour of staff associations.

The growth of staff associations has been greatly influenced by the Public Service Staff Relations Act, 1967, (PSSRA). During the three-year period since the enactment of the PSSRA (1967-70), membership increased from 123,155 to 170,500, an increase of thirty-eight per cent. The impact of the PSSRA on staff relations in the Federal public service has been studied with the aid of questionnaires. While the response to the management questionnaire was high (68.4 per cent), the response to the employee organization questionnaire was rather low (18 per cent). The enactment of the PSSRA, according to eighty-six per cent of the respondents to the management questionnaire, has resulted in increased union activity in Federal establishments. Fifty-eight per cent reported an increase in the frequency of meetings with the employee representatives, and seventy per cent felt that better employer-employee communications have resulted. Seventy-five per cent of the respondents felt the PSSRA has made more difficult the government's task of controlling the wage increases in the public sector. While seventy-five per

cent of the respondents felt that the government will benefit by the PSSRA in terms of efficient administration and better communications with the employees, eighteen per cent saw no benefit accruing to the government. About forty-two per cent of those staff relations officers who suggested amendments in the PSSRA would like employees right to strike withdrawn. Twenty-six per cent would like to enlarge the scope of collective bargaining under the PSSRA.

In the case of the respondents to employee organizations questionnaires, the majority of them agree that there has been an increase in union activity and that better employer-employee communications have occurred. They are satisfied with the results of the collective agreements signed in the previous three years. However, the majority of them feel that bargaining with the government is more difficult than it is in the private sector. They further feel that government as an employer, with respect to collective bargaining, takes advantage of the situation. They also suggest that the scope of collective bargaining should be enlarged to include matters like promotions, lay-offs, transfers, etc.

On the basis of the replies to questionnaires and the fact that staff associations have practised job-conscious unionism, it is expected that the associations will direct their efforts to having matters like promotion, demotion, transfer, layoffs, etc. made bargainable issues. Collective bargaining is a new phenomenon in the field of employer-employee relations in the federal public service and it may cause numerous expressions of frustrations on both sides. However, in the long run it should lead to an amicable employer-employee relationship.

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INTRODUCTION

In Canada, in the field of industrial relations, the interplay of group action in the private sector has been encouraged by the government in the form of free collective bargaining. In the public sector, however, the government until 1967, followed a policy of unilateral employer-employee relationship, arguing that government as an employer is surrounded by special social, economic, political and legal considerations. These were said to include the inviolability of governmental authority, and the urgency and special nature of governmental services, which render collective bargaining with the sovereign employer infeasible and undersirable.[1] It became increasingly difficult however, to maintain different normative and legal standards for governmental and private employer-employee relationships. The

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[1]Prime Minister St. Laurent in reply to a question in the House of Common stated: "The civil service of Canada is carried under laws enacted by Parliament and is supervised by a commission set up by the Parliament. The commission and the government can and do receive representations from employee organizations, but there is no process of collective bargaining in the sense in which it is used in industry.

From the very nature of employment in the public service, there can be no bargaining agent for the nation comparable with the employer in the industry who has at his disposal funds derived for the payments of goods and services. The funds from which the salaries are paid in the public service have to be voted by Parliament, and Parliament alone can discharge this duty." (Can. H. of C., Feb. 21, 1951, p. 542).

militancy of staff associations, and the growing size of the public service, gave considerable importance to the employees' votes.[2] Due to increasing pressure of government employees for collective bargaining (on lines similar to those enjoyed by employees in the private sector), Prime Minister Pearson introduced a Resolution in the House of Commons stating:

> "That it is expedient to introduce a measure to provide for the establishment of a system of collective bargaining applicable to employees in the public service of Canada and for the resolution of disputes that may arise in the negotiations or conclusion of collective agreements applicable to such employees; to establish a process for the presentation of grievances of employees arising in connection with their employment and to establish a system for the adjudication of grievances of employees, to provde for a board to be known as the Public Service Staff Relations Board, which shall be responsible for the administration of the said measures and to provide further for the constitution and appointment of such other authorities, officers, and employees as are required in connection with the administration of the said measures."[3]

This Resolution paved the way for the introduction of Bill C-170, which subsequently became known as The Public Service Staff Relations act, 1967, (PSSRA). The PSSRA is a milestone in the development of Canadian legislation governing the relationship between federal employees and their employers. This Act gives employees: (1) the right to organize, (2) the right to collective bargaining and (3) the right to strike. The PSSRA will most likely have a profound impact on staff

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[2] Robert Vaison brings this point clearly in "Collective Bargaining in Federal Public Service", Canadian Public Administration, XII (Spring, 1969), pp. 117, 120.

[3] Canadian House of Commons, Excerpts from a statement of the Prime Minister, the Rt. Hon. L.B. Pearson, (April 25, 1969) pp. 4, 242-244.

relations in the federal public service. Although the Act has been in operation for barely three years, the time is opportune for a systematic study of staff relations as influenced by the PSSRA.

The Purpose of The Study

The PSSRA, by giving the right of collective bargaining to the public employees, has modified to an important extent employer-employee relations in the federal service. The significance of the Act can be appreciated by the fact that the federal government is the largest employer in Canada, and its experience in the field of employer-employee relations may have a great impact on the industrial relations system of the country as a whole.

Specifically, the purpose of this study is threefold:

1. To examine the origin of staff associations.
2. To analyze the impact of the PSSRA on their growth.
3. To investigate the influence of the PSSRA on staff relations.

In addition to providing a description of the origin and the activities of the federal employees' organizations, an effort will be made to relate the origin of staff association to existing theoretical formulations of trade union growth and development, to indicate how such formulations are useful in explaining current events, and finally to provide a theoretical framework which can be used to predict the future of staff relations in the federal public service of

Canada.

Chapter I of the study will review existing theories of the labor movement. It has been observed by Perlman that each of these theories has its own set of assumptions, and consequently, stress different interpretations.[4] Each is concerned with a single facet of a highly complex labor movement and deals with questions that illuminate that facet. An attempt will be made to identify the theory which provides the most valid explanation for the origin, development, and behaviour, of the labor movement in North America. This theory will then provide the framework for our study of the origin of major staff associations, which will be discussed in Chapter II. In this chapter, we shall review the factors responsible for the origin of staff associations, their structure and a brief examination of their relationships with each other.

Chapter III will deal with the development of labor legislation in Canada. Legislation is considered to be one of the important determinants of trade union growth.[5] In this chapter, we shall determine if there exists a relationship between the legislation and growth of union membership. The insight gained through this information will provide us with a theoretical basis for our study of the impact of the

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[4] Mark Perlman, Labor Union Theories in America (New York: Row, Peterson and Co.; 1958), p. 215.

[5] See for example, L.E. Davis, J.R.T. Hughes, and D.M. McDougall, American Economic History (Homewood, Ill: Richard D. Irwin, Inc., 1967), Chapt. 4.

PSSRA on the growth of staff associations, which will be discussed in Chapter IV. Also, we shall trace the events leading to the enactment of the PSSRA, and discuss how this Act differs from other labor relations legislation, and finally, the impact of the PSSRA on staff relations in the federal public service of Canada.

Chapter V will provide an analysis of the empirical evidence gathered in previous chapters. In this chapter, we shall determine if any theory of the labor movement can explain the origin of staff associations, to what extent the PSSRA has influenced the growth of staff associations, and an analysis of the questionnaires dealing with the impact of the PSSRA on staff relations.

Chapter VI will deal with the future of the PSSRA, the likely amendments to the Act, and influence of this Act on the future course of staff relations.

Approaches and Methods

Two types of data are used: (1) documents; and (2) questionnaires. The documents comprise a wide variety of published and unpublished material, including documents published by the Department of Labor, Dominion Bureau of Statistics, Public Service Staff Relations Board (PSSRB), Treasury Board, and various staff associations. Speeches and press releases issued by the officials of staff associations are also cited. Extensive use is made of existing literature on employer-employee relations, both in the

private and public sectors.

The use of questionnaires for data collection is restricted to the study of the employer-employee relations in the public service. Two forms of questionnaires are used: one for management as represented by the staff relations officers of various federal departments; and the other for officials of the staff associations. The questionnaires are called the Management Questionnaire, and Employee Organization Questionnaire, respectively. Both of these questionnaires are based on those used by Lewis in his study "Impact of Executive Order 10988".[6] The response from these questionnaires provides the data for analysis of the impact of the PSSRA on staff relations.

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[6] C. Lewis, "Impact of Executive Order 10988 upon the Defence Agencies", (Unpublished Master's Thesis, U.S. Naval Post Graduate School, Monterey, California, 1965).

CHAPTER I

THE ORIGIN OF UNIONISM: A THEORETICAL FRAMEWORK

Staff associations are a part of the labor movement as a whole. Their origin, growth and modes of behaviour have been influenced to a great extent by labor organizations in North America. Thus an understanding of the latter is not only helpful, but also an essential prerequisite in our study of staff relations in the federal public service. An insight into labor unionism can be obtained from the theories of the labor movement which give "an ordered explanation, to account for the origin and behaviour of labor unionism," and "a basis for predicting the conduct and policies that may be followed by the labor movement in future."[1] This chapter will review principal contributions to theories of the labor movement.

Sidney and Beatrice Webb

According to the Webbs, the fundamental objective of

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[1]Phillip Taft, "Theories of the Labor Movement", in Interpreting the Labor Movement, publication No. 9 (Madison, Wis., Industrial Relations Research Association, 1952), p. 1.

a trade union is "the deliberate regulation of the conditions of employment in such a way as to ward off from the manual-working producers the evil effects of industrial competition."[2] Unions achieved this by negotiating with the employers to pay at least a minimum rate and to provide minimum working conditions, in terms of hours, sanitation, safety, etc. The Webbs referred to these as the "Common Rule". To bring about continual improvements in these rules, unions employed a process of mutual insurance (1700's), use of legislation, especially in regulating the safety conditions in factories (nineteenth century), and collective bargaining (twentieth century). Writing about the future conduct of labor unions, the Webbs predicated that, through political action, the unions will achieve democratic administration of industry. It would be "nothing less than a reconstruction of society, by the elimination from the nations industries and services of the Capitalistic Profitmaker, and the consequent shrinking up of the class of functionless persons who live merely by owning."[3]

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[2] Sidney and Beatrice Webb, Industrial Democracy (New York; Longmans, Green & Co., 1914), "cited by" John T. Dunlop, "The Development of Labor Organization: A Theoretical Framework", in Insights into Labor Issues eds., Richard A. Lester and Joseph Shister (New York: MacMillan Co., 1948), p. 166.

[3] Sidney and Beatrice Webb, The History of Trade Unionism (London: Longmans, Green & Co., 1920 ed.) pp. 717-18, "cited by" John T. Dunlop, The Development of Labor Organizations: A Theoretical Framework", op. cit. p. 168.

The Webbs' description of the economic objectives of unions is applicable to some extent to North American situations. Their predictions about the long run union goals of socialization of industry may be applicable to some countries, but these have not been adopted by trade unions in North America.

The Marxist View

The Marxian socialists believed that the real enemy of the working class was the capitalist system and the capitalists who controlled it. They suggested that the accumulation of capital by the bourgeoisie would lead to a falling rate of profit, which could only be offset by such devices as imperialistic expansion on the one hand and increasing exploitation of the workers on the other. The exploitation of the workers would result in ever-lowering wage rates, extended working hours, and their continuous degradation. The suffering of workers would give rise to trade union consciousness and workers would unite into unions to protect themselves from the exploitation of the burgeoisie.

The trade unions, according to Marxists, had a relatively minor role to play in the labor movement, their role being economic while the real strength lay in political solidarity. The socialist party, which was the political arm of the labor movement, had the major role of capturing political power in order to wipe out the wage system and create a propertyless society. In the words of Marx, the

unions should not adopt "the conservative motto: '<u>A fair day's wages for a fair day's work</u>!' They ought to inscribe on their banner the revolutionary watchword: '<u>Abolition of wages</u>! '"[4]

The Marxist view has found very little support on the North American scene. The deterioration of living conditions of workers under capitalism which the Marxists foresaw, has not come true. The abolition of wage system and the goal of creating a propertyless society may lie in too distant a future, which presumably even few current socialists hope to see in their lifetime.

Frank Tannenbaum

Tannenbaum attributes the origin of unions to the disruption of social ties caused by the process of industrialization. The worker tries to substitute his old associations with the new ones at his place of work. The work must fill a social and moral need as well as the economic role. The process of industrialization has also forced the worker to depend entirely on a money wage. Thus, the workers have organized themselves not only to recover the sense of functional continuity, but also to protect their members against the arbitrary exercise of power by the employer. This explains the union struggle for job security and security of income in times of temporary slack, sickness and old age.

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[4]Karl Marx, <u>Value, Price and Profit</u>, ed. Eleanor Marx Aveling (New York: International Publishers, 1935) p. 61.

According to Tannenbaum, such demands are a logical sequence of a complete dependence upon money wage. The real point at issue, he suggested, is "whether they will be met by trade unions and industry, or by welfare state out of taxation."[5] If the unions and industry cannot provide the essential security, then the state will step in and "in the process it will destroy the liberties of our time and made men subservent to an all-absorbing Leviathan."[6] To avoid state ownership, Tannenbaum suggested that unions would participate more and more in management functions and finally "the corporation and union will ultimately merge in common ownership and cease to be a house divided."[7]

Tannenbaum's philosophy of labor gives an interesting insight into the origin and behaviour of the labor movement. However, if unions provide a substitute for earlier forms of association, one might inquire why this drive has been limited to perhaps one-third of the work force in the United States or Canada. The provision of social security measures such as unemployment insurance, old age pension, medicare, and the like, will not necessarily turn all government into a Leviathan. Union involvement in issues of industrial jurisprudence may explain its concern with workers' job security, but it does

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[5] Frank Tannenbaum, A Philosophy of Labor, (New York: Alfred A Knopf, Inc., 1951), p. 150.

[6] Ibid., p. 151.

[7] Ibid., p. 168.

not indicate the likelihood of the merging of corporations with the trade unions. In spite of this criticism, Tannenbaum's thesis that the labor movement constitutes a response to the need for economic security of the workers can not be denied.

John R. Commons

The development of the labor movement in the U.S., according to Commons, was due in largest measure to the extension of markets. Basing his conclusions upon a detailed study of the shoemaking industry (1684-1895), supplemented by other case studies, he pointed out that "the struggle occurred not as a result of changes in tools or methods of production, but directly as a result of changes in markets."[8] The extension of product as well as labor markets resulted in a sharp cleavage between the interests of the masters and journeymen, giving rise to latter's unions. Commons summed up these developments in the following words: "A skilled and intelligent class of tradesmen widely scattered easily menaced by commercial and industrial changes, they have resorted with determination at each new menaces, to the refuge of protective organizations."[9] The menaces were scabs and green hands, etc.

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[8] John R. Commons, "American Shoe Makers, 1648-1895: A Sketch of Industrial Evolution", Quarterly Journal of Economics (November, 1969), p. 50.

[9] Ibid., p. 68.

While Commons realized that the changing modes of production influenced, to some extent, the emergence of labor organizations, he attached primary importance to the market expansion. "The extension of the market took precedence over the mode of production as an explanation of the origin of new class alignments."[10]

Selig Perlman

With Commons' "extension of markets" theory as the take-off point, Perlman went on to put forward his theory of the trade union movement. After analyzing the labor movement in Russia, Germany, Great Britain, and the United States, Perlman came to the conclusion that there are three factors which are "basic in any labor situation: first, the resistance power of capitalism, determined by its own historical development; second, the degree of dominance over the labor movement by the intellectuals' 'mentality', which regularly underestimates the capitalism's resistance power and overestimates labor's will to radical change; and third, the degree of maturity of a trade union 'mentality'."[11] By this last factor, Perlman means the extent to which the trade union is conscious of job scarcity.

Perlman pointed out that, in any society, there are people who are content with the earning of a livelihood, and

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[10] John R. Commons and Associates, History of Labor in the United States, I (New York: MacMillan Co., 1918), p. 28.

[11] Selig Perlman, A Theory of the Labor Movement (New York: The MacMillan Co., 1951), p. x.

those who play for bigger stakes. The latter are called the entrepreneurs, or capitalists, while the former are called manualists. The capitalists are guided by "abundance consciousness", or "consciousness of unlimited opportuntiy." If the sense of opportunity consciousness is weak, the resistance power of capitalism suffers. The manualist, on the other hand, is a victim of scarcity consciousness. There are two causes for this belief in scarcity of economic opportunity. "The typical manualist is aware of his lack of native capacity for availing himself of economic opportunities," as they occur in a complex business world. "He knows himself neither for a born taker of risks nor for the possessor of a sufficient agile mind ever to feel at home in the midst of the uncertain game of competitive business."[12] Starting with this sense of scarcity consciousness, the manualists have organized themselves into trade unions, in order to assert a "collective mastery over job opportunities and employment bargains." The union does not displace the employer as the risk taker and owner of the business, but it does become the administrator of the scarce job opportunities. Perlman has termed it as job conscious unionism.

Intellectuals are another influence in any labor situation. Perlman defines them as non-manualists [outsiders] who attempt to impose their ideology on the labor movement. Their chief fault according to Perlman is that they tend to lead

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[12] Ibid., p. 239.

labor away from its "own organic interest". In a phrase which has been quoted again and again, the intellectuals envisage labor "merely as an abstract mass in the grip of an abstract force".[13] They see unionism as a tool which can be used to achieve social designs which they are convinced have the logic of social evolution behind them.

The character of labor movement in any country depends, according to Perlman, on the particular combination of the role of the intellectuals, the resistance power of capitalism, and the maturity of trade unions. In the United States, the resistance power of capitalism was strong. The intellectuals could not make any lasting inroads on the thinking of the manualists, with the result that a job conscious unionism developed in America.

Perlman in his Theory of the Labor Movement seems to have overdrawn the difference between the scarcity consciousness of the manualist and the opportunity consciousness of the capitalist. The formation of business cartels and trade associations, businessmen's insistence on tariffs, and other protective measures, indicate at least a limited form of scarcity consciousness on the part of capitalists. His intense criticism of the intellectuals also seems to be a reflection of his own flight from a Marxian background, a revulsion carried to an extreme.

Inspite of this criticism, Perlman's theory of job conscious unionism provides a valuable insight into the origin

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[13] Ibid., p. 10.

and behaviour of the trade union movement. If his job conscious unionism is interpreted as a drive on the part of workers to assure themselves of some degree of control over the affairs of the work place, of some means of establishing working rules in the place of arbitrary authority, of the power to distribute scarce job opportunities, then it is evident that workers in the federal public service of Canada are in many ways as likely to be "job conscious" as workers for GM, and that forces condusive to union development are common to both organizations.

Now that the five theories of the labor movement have been surveyed, we are in a position to select the one which contributes most to an understanding of the labor movement in North America. In selecting the most relevant theory, Marx can be left out of account, not because he is unimportant, but because his observations have proved to be largely incorrect, at least as far as North America is concerned. The standard of living of workers has continually risen and unions have relied on "home grown" leadership rather than accepting domination by intellectuals who would lead them into political or revolutionary activity.

The Webbs' description of the economic origin of Unions, though oversimplified is applicable to America. However, Webbs' advocacy, as well as prediction of unions interest in socializing industry has been ignored by American and Canadian unions. Tannenbaum's prediction of Union ownership of Corporation as the ultimate outcome of the growth of unions has not come true either. Unions prefer to bargain with owners rather

than be the owners.

Perlman used Commons' theory of extension of markets as a taking-off point to put forward his own theory of the labor movement. Thus Commons' theory compliments the Perlman's theory of job conscious unionism. Job consciousness as emphasized by Perlman is one of the basic characteristics of all American and Canadian unions. In both countries unions have adjusted their goals and tactics to the rapid growth and popualr support of capitalism, the institution of private property, and the nature of our political system. Conservative in character, the job-conscious unionism of North American unions does not attempt to abolish the private enterprise system, but concentrates its efforts on short-run goals to be reached mainly through such nonpolitical techniques as strikes. Thus, we can say that Perlman's theory of job-conscious unionism provides us with a theoretical framework which best explains the origin and behaviour of the labor movement in North America.

CHAPTER II

THE ORIGIN OF STAFF ASSOCIATIONS

Theories of the labor movement were discussed in the previous chapter as an aid to appreciating what is going on in our own society from the vantage point of unionism in the federal public service. This chapter will trace the origin of staff associations in order to understand the purpose of their founding and to determine if there exists any relevance to their origin in any of the frameworks provided by theories of the labor movement. Such a framework will subsequently provide the basis on which future behaviour of the associations can be predicted.

There have existed in the public service of Canada, more than a hundred distinct groups of public servants, and it would be a difficult task to describe them all. Fortunately, this is not necessary, since three major organizations have represented more than ninety per cent of the civil servants who were members of staff associations before the enactment of the PSSRA. The largest of these was the Civil Service Federation of Canada, which co-ordinated the activities of its many affiliated groups. The second was the Civil Service Association of Canada, which derived its strength

from a highly centralized form of organization.[1] The third is the Professional Institute of the Public Service of Canada, which draws its membership from highly trained ranks of the public service.

To account for the factors which gave rise to these staff associations, theories of the labor movement provide us with a starting point. The common thread which runs through all these analyses, is that unions have come into existence to remedy those conditions which threatened the job security of their members. A review of working conditions prevalent in the public services of Canada at the time of the origin of staff associations, is thus the first step in understanding the factors responsible for the origin of staff associations.

The Working Conditions in the Federal Public Service

The Federal public service in Canada began with Confederation. The British North America Act, 1867, provided that all Colonial civil servants discharging duties which did not come under those assigned to the provinces should become Dominion officials, until the Canadian Parliament provided otherwise.[2] Confederation not only inherited the

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[1] At a special convention of the Civil Service Association of Canada held in Ottawa in November, 1966, delegates voted in favor of a merger with the Civil Service Federation of Canada to form the Public Service Alliance of Canada, which now is the largest organization representing federal public servants. Labour Gazette, LXVII (February,1967), p.88.

[2] British North America Act, 1867, s. 130.

provincial civil servants, but also a patronage system of appointments. In the early years of the Dominion, all appointments to the civil service were made on recommendations of Cabinet Ministers, members of Parliament, and defeated candidates who belonged to the majority party. This meant, with very few exceptions, that these positions were given out as patronage to the friends of the party in power. The Canadian Monthly gave an account of the way in which public service appointments were made in the early decades of Confederation.

> "Appointments to the civil service are theoretically supposed to be based on individual competency; they are, in fact, the rewards of political subserviency. . . . The price of a commission in the government service is the free exercise of a glib tongue, deftness in canvassing, unscrupulousness in everything. Serve the party day and night, secure us an electoral triumph by fair means or foul, and you shall be quartered for life in public treasury, is the bribe held out to those who would live at ease. . . . To the well-informed, trained and experienced member of the Service there is little chance of advancement when one of these gentry stand in the way. The latter has paid his price for the office, the former has not; this one has faithfully served his party and should be recompensed, the other has merely deserved well of his country, which has no means left of rewarding him."[3]

The principle of political patronage was not only restricted to appointments but was freely used for dismissals as well. It was contended that if rewards were scanty, party opponents should be thrown out of office in order to make vacancies for deserving candidates. Thus, the period from Confederation to 1880 saw two changes of government: Macdonald

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[3] Canadian Monthly, November, 1874, p. 455. "cited by" Robert M. Dawson, The Civil Service of Canada (London: Oxford University Press, 1929), p. 29.

resigned in 1873, and the liberals were defeated in 1878. On each occasion, changes in the personnel of civil service followed closely the new parties' accession to power. The new civil servant thus felt that he was expected to support the party which favoured him with the appointment, although eventually, when his party was defeated, it was bound to prove his undoing. It was then his turn to be dismissed, and the unhappy cycle began once more.

Attempts were however, made to remedy this situation. In 1880 a Royal Commission was appointed to make a "full intelligent and painstaking inquiry in the conditions of the service and to suggest suitable remedies."[4] Nevertheless, when in 1882, a new Civil Service Act was adopted, the recommendations of the Royal Commission were largely ignored. The fact that this new Act failed to bring about any significant change arose partly from the weakness of the statute itself. Although a Board of examiners was established to examine the candidates, the Ministers still retained the right to make appointments, their field of choice being limited but little by the merely minimal standards of examinations. The civil servants were not prohibited from taking part in political activity. Last but not the least, public opinion was, as yet, far from conscious of the pitfalls of the patronage system. For the next 26 years (until 1908), the Civil Service Act was largely ignored, and where this was not possible, it was

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[4] Canadian Sessional Papers, 1880-81, section 113, p.10.

amended to satisfay the whims of the politicians.

The Civil Service Association of Ottawa (C.S.A.O.)

The opening decades of the present century brought an increasing appreciation, by both the government and the public, of a need for an efficient public service. A Royal Commission under the Chairmanship of J.M. Courtney was appointed in 1907 to look into the workings of the public service. The Commission announced that all members of the public service who wished to have hearings were invited to come before them. The civil servants availed themselves of this opportunity and the Civil Service Association was formed at Ottawa in 1907 composed of the employees of the Government of Canada, with the immediate object of making representations to the Royal Commission.[6] The Association was subsequently made permanent. Appearing before the Commission, the Association made the following presentation:

> "A civil servant practically gives up his life to the service of the country; his training practically unfits him for other employment while rendering him increasingly valuable to the state; loss of position is most serious; his income is stationary while the income of other citizens has increased with the increasing cost of living; . . . that all promotions in each department be made on the recommendations of the deputy head, and be based on merit and seniority, other things being equal."[7]

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[6] Labour Gazette, VIII (1907-08), p. 975.

[7] Canadian Sessional Papers, XV (No. 29a, Analytical Index, 1907-08), p. 39.

The Civil Service Association thus was founded to present the grievances of the civil servants before the Royal Commission. The grievances related to the arbitrary dismissals of a large number of civil servants on political grounds and to lower rates of salary. The Association demanded a system of appointments and promotions based on the principle of merit, and higher rates of salaries and wages. The Association was thus primarily concerned with the improvement in working conditions and job security of its members, to be achieved within the existing framework of the public service. It was a clear manifestation of the job conscious unionism as advanced by Perlman.

The Civil Service Federation (C.S.F.)

After the formation of C.S.A.O. in 1907, a few other groups of civil servants were also organized, mostly outside Ottawa. The C.S.A.O. took the initiative in bringing together these groups to form the Civil Service Federation of Canada. The "Call" to the first convention of the Federation which was held in 1909 emphasized "the need of a more tangible bond of union between civil servants throughout Canada, and especially between such portions of the service as have already achieved organization."[8] Membership in the Federation was indirect, the individual civil servant belonging to a national or local

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[8] V.L. Lawson, "After Forty Years - A Retrospect," The Civil Service Review, XXIII (June, 1949), 112.

association which was affiliated with the Federation. The presence of a large number of organized groups in the civil service resulted in an ever-present conflict between the various affiliates of the Federation over the question of organizational jurisdiction. Since its beginning, the C.S.A.O. had confined its organizational activities to the headquarters staff, while other groups had flourished outside Ottawa. As these groups tried to extend their membership drives from the districts into the Ottawa area, they encountered the competitive presence of the Ottawa Association. The jurisdictional conflict created serious problems among the various affiliates of the Federation on one hand, and the C.S.A.O. on the other. As a result, the Civil Service Association of Ottawa resolved to quit the Federation. On March 2nd, 1954, after forty-five years of affiliation with the Federation, C.S.A.O. had its charter revoked.[9]

The Amalgamated Civil Servants of Canada (A.C.S.C.) and its merger with the C.S.A.O.

The Amalgamated Civil Servants of Canada was formed in 1920 with the aim "to organize the unattached and unite into organization all Canadian Government employees". By this time, however, the C.S.F. had achieved a considerable success in organizing a large number of civil servants into its departmental affiliates. The Amalgamated justified the creation of

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[9] S.J. Frankel, Staff Relations in the Civil Service (Montreal, McGill University Press, 1962), p. 26.

a new organization on the grounds that the Civil Service Act, 1918, by standardizing the conditions of work in the civil service, had made it desirable to have all civil servants speak through a single voice. The preamble to its constitution declared that "the best interests of all civil servants can be conserved and promoted only through a united body representing all Departments, Branches, and Grades in the Service."

Membership in the Amalgamated, as in the case of C.S.A.O., was direct, but it was predominatly (99%) composed of civil servants working in departmental branches and district office outside Ottawa. Thus, there was virtually no clash of interests between the C.S.A.O. and the A.C.S.C. After the C.S.A.O. had quit the Federation, the Amalgamated and the Ottawa Association undertook serious negotiations aimed at their merger into a single organization. In November, 1956, a joint press release announced their intention of a merger under the name of the "Civil Service Association of Canada". The formal union of the two associations took place at the founding national convention in April, 1958.

Public Service Alliance of Canada (P.S.A.C.)

With the formation of the Civil Service Association of Canada, there were three major staff associations, the other two being the Civil Service Federation and the professional Institute of the Public Service of Canada. In June 1959, the

Presidents of all three associations, and eleven national affiliates of the Federation, met in a two-day conference devoted to achieving a greater degree of co-ordination in the activities of the staff movement. However, the Institute had always been sensitive about its professional status and there was a widespread feeling that, by its' association with other organizations to achieve a greater organic unity, the institute might become identified with trade unionism. As a result, the Institute withdrew itself from the unity talks at an early stage, but the other two associations continued their efforts for a united front. In 1963, the appointment of "the Preparatory Committee on Collective Bargaining in the Public Service" led to a widespread belief that a system of joint negotiations between the staff side and the government (represented by the Treasury Board) would eventually emerge. In anticipation of such a move, the staff association stepped up their efforts to seek a basis agreeable to all of them upon which unification of the staff voice could be achieved. These efforts culminated in the formation of the Public Service Alliance of Canada in 1966, by merger of the Civil Service Association of Canada and the Civil Service Federation of Canada.

The objectives of the P.S.A.C. as stated in its constitution are as follows:

1. To unite all employees of the Government of Canada in a single democratic organization capable of acting on their behalf by soliciting the membership of such employees regardless of their classification, position or vocation, the location or

the nature of their employment or the employing department, Crown Corporation or other emanation of the Crown.

2. To obtain for all employees of the Government of Canada, through the collective bargaining process, standards of compensation and other conditions of employment that are at least comparable to those provided by good private employers and to protect the rights and interests of all employees of the Government of Canada in all matters connected with the employer-employees relations.[10]

The membership in the P.S.A.C. is in two parts: (a) in the name of the organization, and (b) in the name of the component.[11] All employees of any one department, any one agency of the Crown, or any other emanation of the Crown, are entitled to membership in a component, and all such components comprise the Alliance. The P.S.A.C. consists of fourteen components and is organized on the concept of a federated structure (See Organizational Chart, Figure 1), thereby providing the components a measure of autonomy in the conduct of their internal affairs. The Trienniel National Convention is the supreme governing body of the Alliance, except in those matters assigned by the various provisions of the Constitution to the Components. The P.S.A.C. is the sole bargaining agent for its members, and is exclusively responsible for: (a) carrying out all policies of the organization as established in National Conventions and by the National Board of Directors; (b) representation, collective bargaining, job evaluation, and other

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[10] Public Service Alliance of Canada, Merger Agreement Principles - Constitution, (1966), p. 1.

[11] Ibid., p. 1.1.

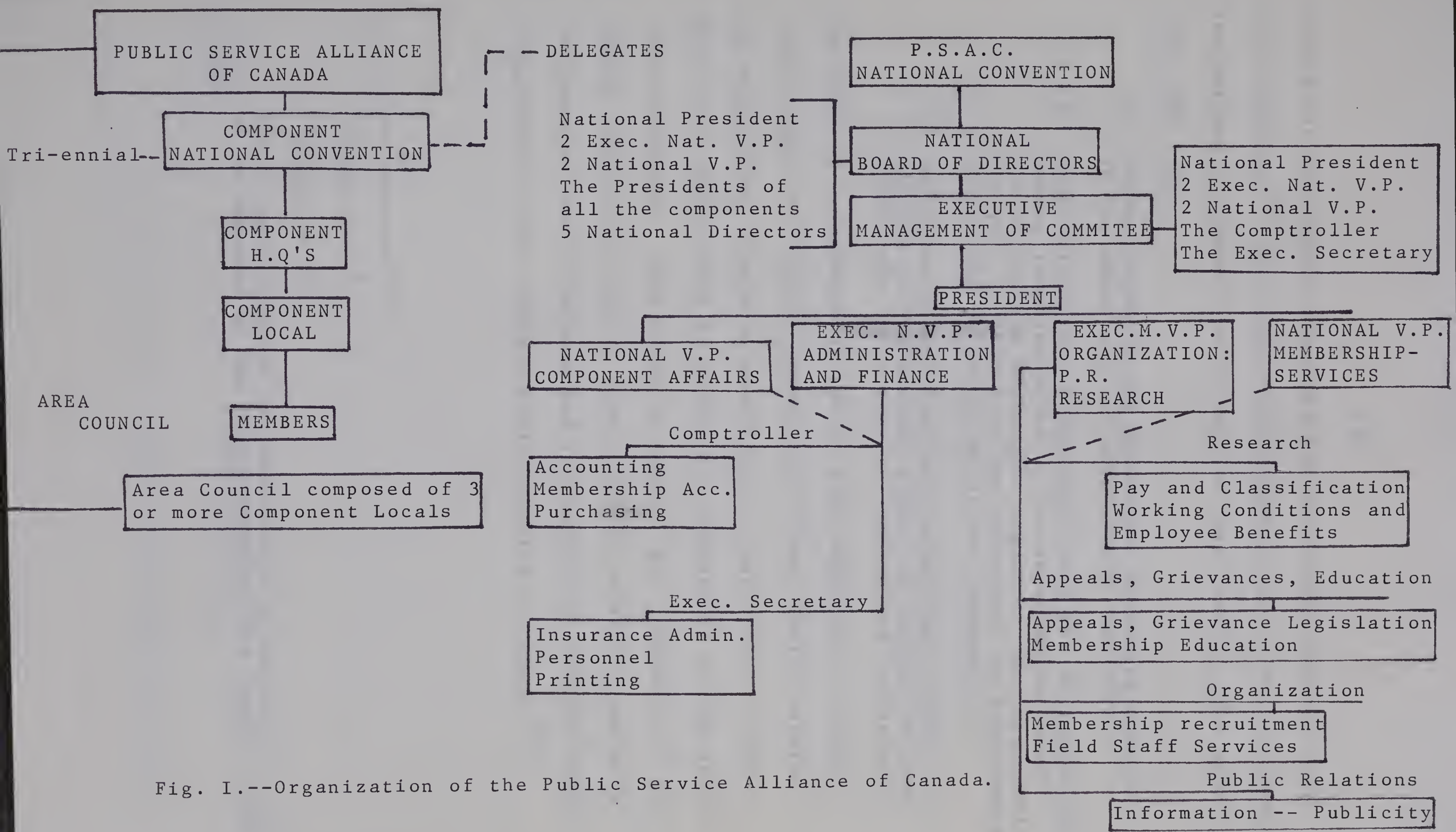
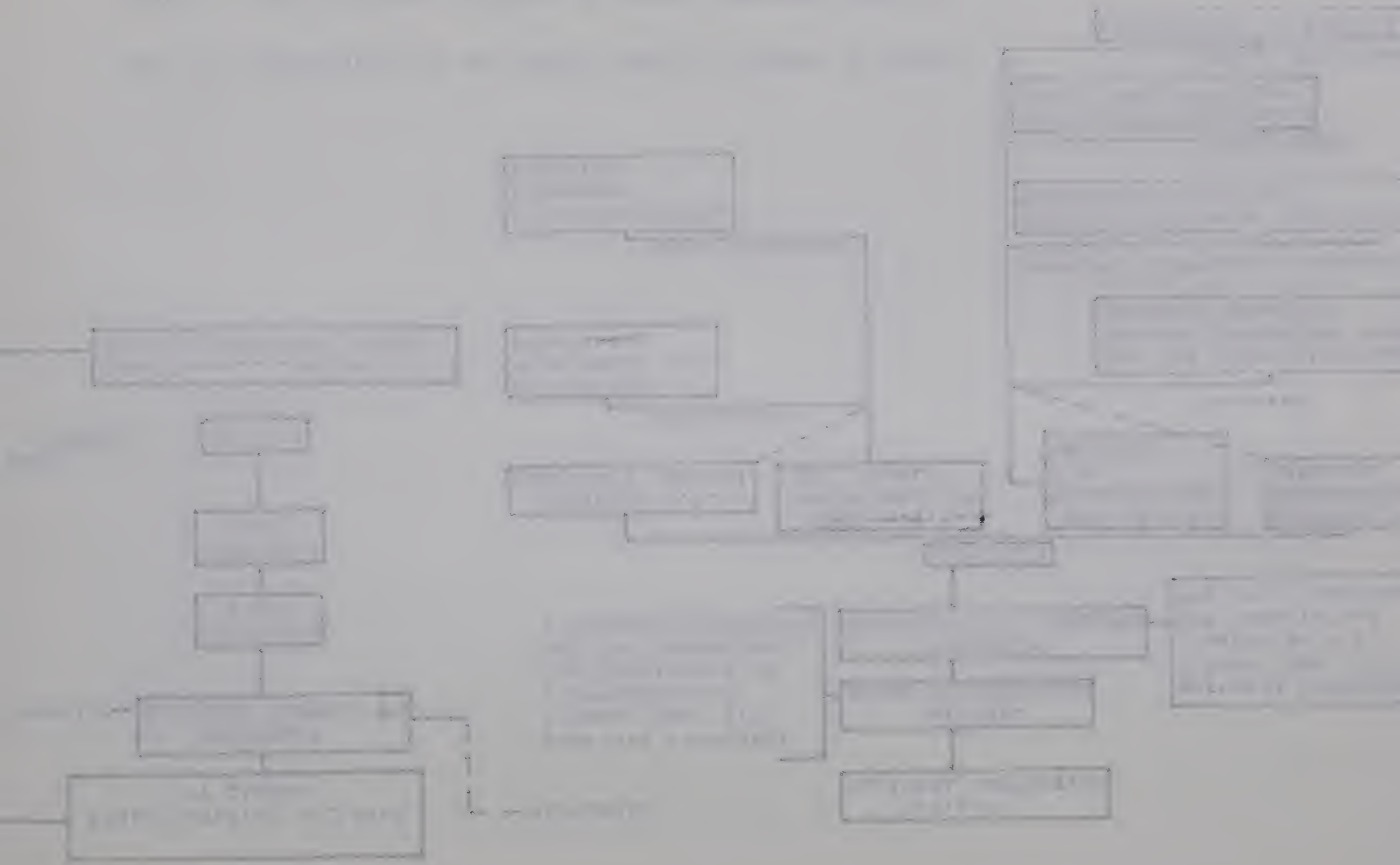


Fig. I.--Organization of the Public Service Alliance of Canada.

Source: Public Service Alliance of Canada (Edmonton Office).



procedures on matters affecting the membership of more than one Component.[12] The rights and jurisdiction of the Components are defined in Subsection (5) of the Constitution, the important ones being:

1. Process appeals and grievances involving members in the department or departments concerned.

2. Upon delegation of authority from the Organization, assume responsibility at the departmental level, for collective agreements signed by the Organization covering employees in the department or departments within the jurisdiction of the Component.

3. Negotiate classification problems and working conditions of its members solely of concern to them within the department or departments concerned.[13]

The field of autonomous action by the Components is rather limited due to a highly centralized federal public service. Any significant change in conditions of employment is determined on a level which is beyond the competence of any particular Component. This tends to enhance the influence of the central body, the P.S.A.C. The Alliance is affiliated with the Canadian Labor Congress and represents the largest number of employees in the federal public service of Canada.[14]

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[12] Ibid., p. 8

[13] Ibid., p. 11.

[14] The latest figures for membership in the P.S.A.C. are 130,000 as reported in the Labour Gazette, LXX (April, 1970). p. 279.

The Professional Institute of the Public Service of Canada (P.I.P.S.)

The institute which represents the professional and technical employees in the federal public service of Canada, was founded in February, 1920. The reasons which led to its founding, although not very clear, are recorded in the history of the Institute as follows:

> "It would perhaps be difficult to say just when the concept of an organization amongst the professional civil servants first developed in the minds of the sponsors, but their is no doubt that under-classification constituted one of the principle factors."[15]

The positions in the civil service are classified according to approximate similarity in duties and responsibilities, in order to make possible "equal pay for equal work". Since salaries are determined by this classification, the allocation of an employees' job to one class instead of another may put him in a different salary bracket. The classification system thus is a system which determines the working condition in the civil service. The professional civil servants thus organized themselves in order to have a voice in the classification of positions, and to participate in the determination of their working conditions. These objectives of the Institute were similar to that of the job conscious unionism as described by Perlman.

The reclassification system was introduced by the Civil Service Act of 1918. An American firm, M/S

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[15] J. Stuart McGiffin, Silver Jubilee History, 1920-1945 (Ottawa: Professional Institute of the Civil Service of Canada, 1945), p. 5.

Griffenhagen and Associates, was hired to advise the government on this issue. The Institute members were greatly upset by this and passed this resolution at the first Annual Meeting of the Institute:

> "That a committee be appointed from the Professional Institute of the Civil Service of Canada to prepare a memorandum deprecating the employment of the Chicago firm of Griffenhagen and Associates Ltd., for the purpose of reorganizing the Civil Service of Canada, and requesting that the contract with the firm be cancelled and that plans for the reorganization of the Service be made under the direction and supervision of the Civil Service Commission, acting in accordance with the Civil Service Act of 1918. . . .
>
> . . . . . .
>
> "Further, the Institute is of the opinion that there are officials in the Civil Service of Canada capable of accomplishing the reorganization of various departments of the Service."[16]

The members of the Institute, by this resolution, were expressing their concern against the arbitrary authority of an outside agency hired to determine working conditions in the civil service. Their demand to appoint civil servants in order to reorganize and reclassify the service was an attempt to not only have a voice in what was being planned for them, but also to administer the scarce job opportunities.

The Institute was thus organized to safeguard the job interests of the professional and technical employees in the federal service. It does not regard itself as a staff association in the trade-union sense and has not affiliated itself with any other public employee organization. It's most important activities, however, are very similar to those of other

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[16] *Ibid.*, p. 10.

staff associations. Membership in the Institute is direct, and any public employee who "occupies a position . . . engaged in a professional capacity such as agricultural, legal, medical, scientific, or technological work, or in the direction or administration of such work" (Bylaw 4, 1(b)) is eligible for the membership. The Institute has been certified as a bargaining agent for virtually all bargaining units involving professionals in the Public Service.

The Postal Employees' Associations

The postal employee's associations have not only been the pioneers in organizing federal employees, but also the most militant of the staff organizations. The numerical strength of the employees in the Post Office, their common type of work, their relationship within a single department, and poor working conditions in the Post Office, may have been responsible for their early origin and militancy. They have sought immediate improvements in their working conditions through such non-political techniques as strikes, thereby practicing the job centred unionism of Perlman. The Dominion Railway Mail Clerk Federation was founded in 1889 followed by the Federated Association of Letter Carriers in 1891 and the Dominion Postal Clerk's Association in 1911.

The Letter Carriers and Postal Clerk's Association (the latter is now called the Canadian Union of Postal Workers), have been very active on the federal scene. These have identified themselves more closely with the labor movement. Very

early in their history, these associations have been affiliated with the Trades and Labor Congress, as well as with the Civil Service Federation. However, they disaffiliated from the Federation in 1962 to permit separation of bargaining for postal workers from that for other government employees.[17]

Attempts have been made from time to time (starting in 1944) to merge the three organizations into the Postal Workers Brotherhood. Although a formal integration has not been achieved yet, the Letter Carriers and the Union of Postal Workers do form a united front for the purpose of collective bargaining with the Treasury Board. The two associations together represent more than 23,000 postal employees.

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[17] Labour Gazette, LXII (October, 1962), p. 1118.

CHAPTER III

IMPACT OF LEGISLATION ON TRADE UNION GROWTH

Trade unions from their modest beginning in the nineteenth century have grown into a major institutional force. An understanding of the determinants of union growth is of utmost importance, since one of the main indices of labor's strength is its size. Although a number of authors have discussed the causes of union growth, Blum has provided a fairly comprehensive review of the various theories of union growth.[1] The different factors influencing the rate of union growth are economic, political, social, legal and industrial relations system of a country. The political, social, economic and legal milieu provide the framework within which a labor movement grows, but it develops within an industrial relations system. The role of management, the part played by trade union leadership, the competition for power among unions, and collective bargaining agreements signed are all part of the picture.[2] There is no single variable which can adequately explain growth trends in union membership, there are instead various factors at a given time in history which help us understand why during that era union membership rose

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[1] A.A. Blum, "Why Unions Grow", Labor History IX (Winter, 1968), pp. 39-72.

[2] Ibid., p. 58.

or declined. The changes in social, political and economic climate of a country shape the public opinion which gives rise to various labor legislation. The legislation may thus be considered a proxy for the social, economic and political attitudes of a particular era.

Since the present study seeks to determine the impact of the PSSRA (a legislative measure) on the growth of staff associations,we shall discuss in this chapter, the development of labor legislation and its influence on the growth of trade unions in Canada. This discussion will provide us with a framework for analysis of the growth of staff associations in the federal public service.

Development of Labor Legislation in Canada

Labor legislation in Canada has passed through several phases. In Phase I labor organizations were treated as criminal conspiracies under English Common Law (of the eighteenth and mid-nineteenth centuries. The end of this phase, and the beginning of the second phase, started with the passage of the Trade Union and Criminal Amendment Act of 1872. This Act declared that the purposes of a trade union are not unlawful merely because they are in restraint of trade. Unions were thus declared legal entities not subject to prosecution as criminal conspiracies. This legislation did not, however, adequately protect freedom of association from the burdens imposed by criminal law. In 1876, a provision permitting peaceful picketing was granted. In 1877, further changes in the Canadian Criminal Law brought to an end the

crime of breach of a service contract as such, but declared it a crime to wilfully break a contract which entails the supply of power, light, gas or water; a railway under agreement to carry the mails; or wilfully to break a contract that results in danger to life or property. These legislative provisions, though limited in their scope, encouraged labor to organize. Strikers seeking a closed shop were convicted of criminal conspiracy under the Criminal Law Amendment Act, 1876. The Trade and Labor Congress brought pressure on the government for the repeal of this condition of the law, and parliament, by an amendment in 1890, declared that no one may be convicted of conspiracy for refusing to work with any other workman or for any employer.

The next phase was the development of collective bargaining legislation starting with the Conciliation Act, 1900. This Act, with its emphasis on collective negotiations and the use of conciliators to promote this process, represented the first major step in the growth of federal government dispute settlement policy.[5] The Act provided for the establishment of a Department of Labor which was to be responsible for collection and publication of labor statistics. The Minister of Labor was empowered to investigate the cause of any industrial dispute, to arrange a conference between the parties to the dispute, and to appoint a conciliator or board of conciliation at the request of either employer or employees.

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[5] H.D. Woods and Sylvia Ostry, Labour Policy and Labor Economics in Canada, (Toronto: MacMillan of Canada, 1969) Pp. 44-45.

Strictly speaking, the Act was based on voluntary conciliation, but the refusal of employers to accept conciliation when the initiative was taken either by the employees or the Minister of Labor, did subject him to an unfavourable public opinion. This element of mild compulsion was further strengthened in the Railway Disputes Act of 1903, and the Industrial Disputes and Investigation Act, 1907. The Railway Act came into being because of a strike of railway carmen on the Canadian Pacific Railway in 1901. It contained the provisions of compulsory conciliation, and, failing agreement, the dispute was to be referred to a board of arbitration. The award of this Board was not binding. The two Statutes (Conciliation Act and Railways Dispute Act) were consolidated in 1906 under the Conciliation and Labor Act which is technically still in existence, giving to the Minister a general, though somewhat redundant power.

A serious strike in 1906 in the coalfields of Lethbridge, and a sawmill strike in Quebec, forced the federal government to take effective steps for the settlement of industrial disputes. The result was the enactment of the Industrial Disputes and Investigations Act, 1907. This Act provided for the one-stage tripartite investigation by a Board consisting of the representatives of labor, management and government, and strikes and lockouts during the investigation were forbidden. An important change brought about by this Act was that either party to the dispute could impose a conciliation board on the other party. Unilateral rejection

of conciliation had been replaced by unilateral compulsion. As a result, management was forced to talk face-to-face with the unions, thereby according them recognition at least during the period of negotiations. This was a favourable development for the unions, since most of them were weak, and management generally was not prepared to recognize and negotiate with them.[6]

The federal labor policy, until now, sought to achieve industrial peace by encouraging collective bargaining and postponment of work stoppages during the period of negotiations. As yet, none of the labor legislation gave employees the right to organize. It was not until 1918 that the War Labor Policy declared by the federal government on July 11, 1918 secured this right for the employees. The important clause relating to workers' right to organize was as follows:

> 1. That all employees have the right to organize in trade unions, and this right shall not be denied or interfered with in any manner whatsoever, and through their chosen representatives, employees should be permitted and encouraged to negotiate with employers concerning working conditions, rates of pay, or other grievances.
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> 2. The employer should not discharge or refuse to employ workers merely by reason of membership in trade union or for legitimate trade-union activities outside working hours.[7]

The wartime labour measures, however, ceased to be applicable

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[6] H.D. Woods, "Canadian Collective Bargaining and Dispute Settlement Policy: An Appraisal", Canadian Journal of Economics and Political Science XXI (No. 4, 1955), p. 48.

[7] P.C. 1743, Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 11th July, 1918, "cited by" Bryce M. Stewart, Canadian Labor Laws and Treaty (New York: Columbia University Press, 1926), p. 101.

after the war was over and the IDI Act came into force once again.

Although the IDI Act was applied to provincial and municipal disputes, doubts about it's constitutional validity were expressed from time to time. In 1923, in a dispute involving street railway employees in the City of Toronto, the question of validity of the Act was raised in Court. At the outset it was declared constitutional. A per saltum appeal was taken to the Privy Council, by-passing the Supreme Court of Canada, and in 1925 the Judicial Committe, in Toronto Electric Commissioners v. Snider,[8] gave it as their opinion to His Majesty that the Act was unconstitutional. Following the Snider case the Industrial Disputes Investigation Act was amended to "limit the application of the Act in terms to matters not within the legislative jurisdiction of any province." To this, exceptions were made: The Act was to have application in national emergency and where the provinces should make the Act applicable to provincial jurisdiction.[9] The field of labor relations was thus transferred to provincial jurisdiction, and within the next seven years all provinces except Prince Edward Island passed legislation similar to the IDI Act.

The next plateau in the development of labor relations policy in Canada was the influence of the American policy.

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[8] (1925) A.C. 396 (P.C.)

[9] A.W.R. Carrothers, Collective Bargaining Law in Canada (Toronto: Butterworths, 1965), p. 40.

The American labor policy was expressed as, "It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstruction to the free flow of commerce . . . by encouraging the practice of collective bargaining." The Railway Labor Act, 1926, set the precedence on which the Wagner Act was based, these being (a) the freedom of workers to choose their own representatives, (b) compulsory recognition, (c) compulsory bargaining rights, (d) exclusive bargaining rights. The Act established a National Labor Relations Board charged with the administration of the policy, and made the policy applicable to industry in general.

The American influence on the provincial labor policy in Canada can be observed in the Nova Scotia Trade Union Act, 1937. The Act declared it lawful for employees to join trade unions and to bargain collectively with their employers. An employer refusing to bargain with a trade union representing a majority of employees was liable to fine or imprisonment. Thus the Act guaranteed freedom of association for employees, recognition for unions, and the right to collective bargaining. Similar policy was adopted by Alberta[10] and Saskatchewan.[11] At the same time (1937), British Columbia introduced a new legislation[12] which combined the American policy of

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[10] Alberta Industrial Conciliation and Arbitration Act, 1937.

[11] Saskatchewan Freedom of Trade Union Association Act, 1938.

[12] British Columbia Industrial Conciliation and Arbitration Act, 1937.

compulsory bargaining with the old Canadian policy of compulsory dispute conciliation. This was followed by Manitoba (1937)[13] and New Brunswick (1938).[14]

Provincial experimentation in the labor relations field was to some extent taken over by the Federal government at the beginning of the Second World War. In 1939, Order-in-Council P.C. 3495 was passed, which made it possible to extend the provisions of the modified IDI Act, 1907, to war production industries under the legal authority of the War Measures Act of 1914. In 1940, the federal government, after consultation with labor leaders, declared a war-time labor policy.[15] In the declaration (without legal sanctions), the government supported freedom of association, desirability of collective bargaining, and of written collective agreements determining wages and working conditions, including clauses which provided for settlement of disputes which might arise after an agreement was reached. This policy, lacking legal sanctions, without any compulsion on the part of the employers to practice the principles enunicated, and in the absence of any governmental machinery to enforce these principles, failed to improve the situation of industrial peace in Canada. The Canadian Congress of Labor, at its annual convention in September, 1940, declared that Order P.C. 2685 was inadequate to bring about any favourable change in the hostile attitude of many employers

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[13] Manitoba Strikes and Lockouts Prevention Act, 1938.

[14] New Brunswick Labor and Industrial Relations Act, 1938.

[15] P.C. 2685, 1940.

towards labor organizations. The Congress also urged the provincial governments to take immediate action against employers who were discriminating against their employees because of union activities.

In 1943, a significant step[16] in the direction of providing compulsory collective bargaining, and machinery to enforce it, was taken by the Ontario government. The new law established a Labor Court under the Judicature Act with exclusive jurisdiction to examine into, hear, and determine all matters and questions arising under the Act. The court was made responsible for certifying a bargaining agent and receiving complaints concerning violations of the law. It could issue restraining and compliance orders, and direct reinstatement of persons discharged contrary to the provision of the law, and assess damages to the injured employee. These functions of the court, together with the certification authority, meant that Ontario was accepting as policy, the right to collective bargaining, and was establishing a special authority to guarantee its exercise.

The Ontario experiment did not last very long however. In July 1944, the federal government declared its own wartime labor relations regulations.[17] The Order was made applicable to the normal jurisdiction of the federal parliament including Crown Corporations engaged in war production, and to other industries within provincial jurisdiction where

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[16] An Act to Provide for Collective Bargaining.

[17] P.C. 1003, 1944.

provinces brought themselves within the compass of the Order. Ontario dropped its legislation and came under the federal order. British Columbia also suspended its provincial legislation and made the order applicable to its jurisdiction.[18] Similar legislations were passed by Manitoba[19], New Brunswick[20] and Nova Scotia.[21]

P.C. 1003 borrowed provisions both from the Wagner Act and the modified IDI Act. It combined the principle of compulsory collective bargaining with compulsory negotiations and was thus a synthesis of the American and Canadian approaches to labor relations. The era of its application came to end with the termination of war. P.C. 1003 was however, continued in force until 1948. Meanwhile, the federal government convened a conference of provincial labor ministers in 1946. The federal representatives advocated the principle of uniform collective bargaining legislation by the provincial and federal governments and this was accepted by the labor ministers. The conference resolved that the Canadian labor policy should be based on five principles, i.e. (1) employee freedom of association and recognition of unionism; (2) the right to collective bargaining established through the machinery of certification,

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[18] An Act to Make the Wartime Labor Relations Regulations of the Dominion Applicable to Industries in respect of which the Employer-Employee Relations are within the Exclusive Legislative Jurisdiction of the Province.

[19] 1944, C. 48.

[20] 1944, C. 41.

[21] 1944, C. 8.

statutory compulsion to engage in collective bargaining, state intervention in conciliation, and postponment of the right to strike and lockout; (3) prohibition of unfair labor practices by employers and unions in order to protect union organization and individual rights and the process of collective bargaining; (4) the establishment of the sanctity of collective bargaining; (5) establishment of the machinery for administering these provisions.[22] These principles were incorporated into a federal draft bill which was subsequently passed into law and is known as the Industrial Relations and Disputes Investigations Act, 1948. Very shortly, all provinces except Prince Edward Island, Saskatchewan, and to some extent, Quebec, passed legislation similar to the IRDI Act, 1948.

Since the IRDI Act of 1948, there has been no major development in federal labor relations policy. Some changes, however, have occurred in the provincial sector, notably the British Columbia Mediation Commission Act, 1967, which established a permanent Mediation Commission. Similarly, Ontario passed an Act establishing a Labor-Management Arbitration Commission to facilitate grievance processing. But the basic concept of the administered system of collective bargaining coupled with the postponment of resort to economic sanctions, lies at the root of labor policy in Canada.

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[22] Labour Gazette, XLVI (December, 1946), p. 1525.

Union Growth and Canadian Labor Laws

The government, through legislation, has played an important role in employer-employee relations since the days that workers' organizations first appeared in this country. The legislation through its various stages of development has influenced the goals, tactics, and growth of unions. Until the early twentieth century, the law restricted unions without protection for legitimate union practices. Subsequently, more favourable legislation was passed which not only freed unions from early restrictions but also encouraged union growth. The criteria for a favourable legislation is that it gives to unions one or more of the following:

1. Freedom of association;
2. Free collective bargaining;
3. Freedom to resort to strike action.

In the following pages, we shall try to determine if there exists any relationship between the favourable legislation and union growth.

Figure II represents the per cent annual increase in the trade union membership for years 1925-1967 inclusive. It also shows similar changes in the total non-agricultural work force. Increase in union membership due to factors other than increase in the non-agricultural work can thus be determined.

A review of the development of labor legislation in Canada indicates that although Alberta had passed the legislation providing freedom of association to employees in

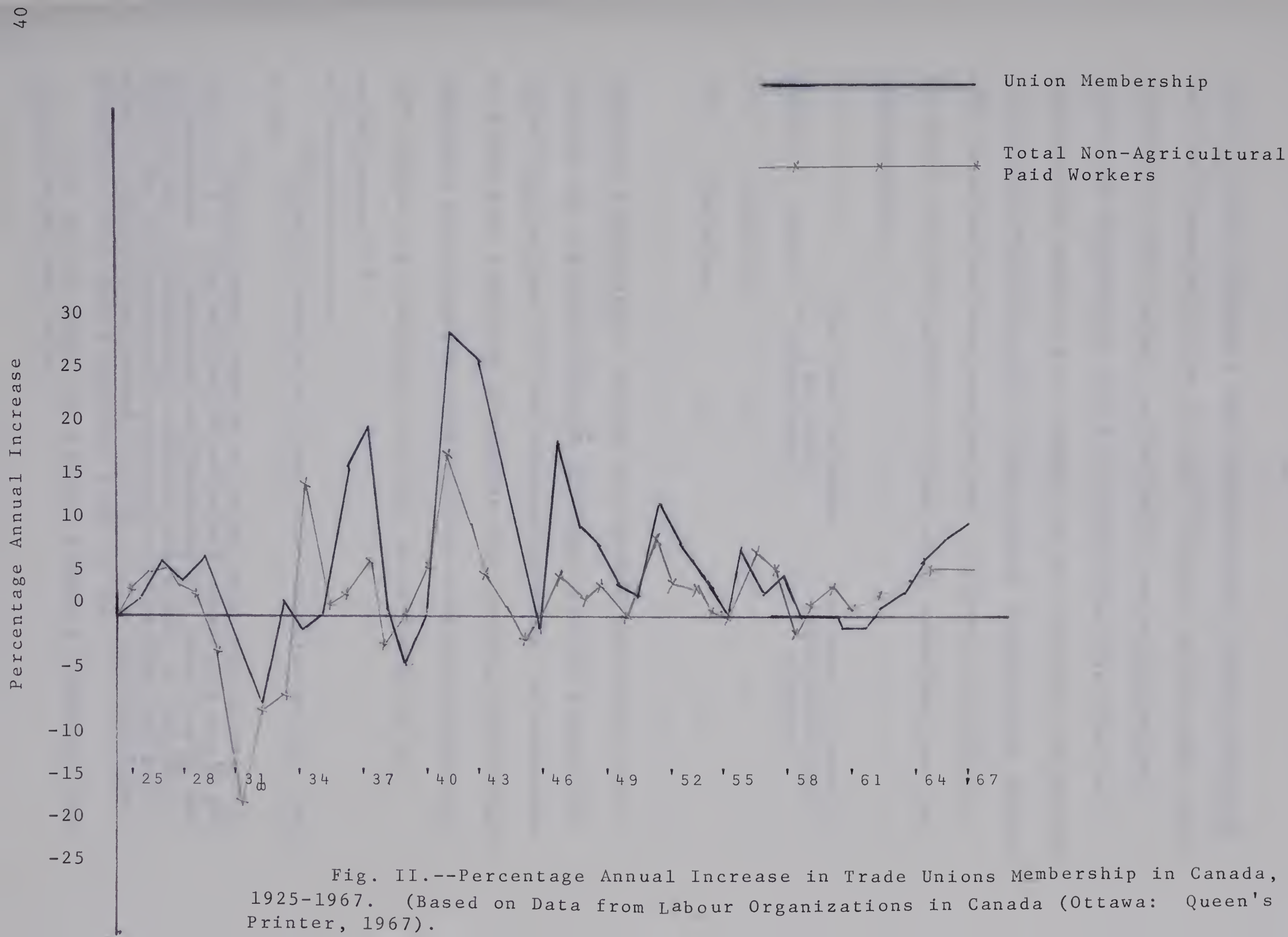

Fig. II.--Percentage Annual Increase in Trade Unions Membership in Canada, 1925-1967. (Based on Data from Labour Organizations in Canada (Ottawa: Queen's Printer, 1967).

1937[24], other provinces like Saskatchewan, British Columbia and New Brunswick did so in 1938.[25] Ontario on the other hand produced a labor policy in 1943 which not only provided collective bargaining, but also established the first administrative machinery in Canada for the operation of general collective bargaining law. Thus periods during which favourable legislations were enacted are: 1938-41 and 1943-46. We shall study the growth in trade union membership during these periods.

Period	Years	Per cent Increase in Union Membership	Per cent Increase in Non-Agricultural Workers
I	1938-1941	23	6
II	1943-1946	25	1.7

Period I (1938-1941): During this period freedom of association was expressly granted in almost all the provincial labor legislations. It was declared unlawful for employers to intimidate employees to refrain from joining trade unions. Employers were required to enter into collective bargaining with unions representing a majority of employees in an establishment.[26]

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[24] Alberta Freedom of Trade Union Association Act, 1937, C. 40.

[25] Saskatchewan Freedom of Trade Union Association Act, 1938, C. 87. The British Columbia Act respecting the Right of Employees to Organize and Providing for Conciliation and Arbitration of Industrial Disputes was passed in December, 1937. For all practical purposes it can be included with similar legislations passed in 1938. Labor and Industrial Relations Act, New Brunswick, 1938. C. 68.

[26] An Act to amend the British Columbia Industrial and Concilliation Act, 1938.

Period II (1943-1946): In 1943 Ontario passed an Act to provide for Collective Bargaining.[27] This law established for the first time in Canada, an administrative machinery for operation of general collective bargaining law. One of the flaws in the legislation of other provinces was an absence of a procedure for settling questions of the selection of the union and identification of the group of employees which the union was to represent. This created problems for negotiating a collective agreement. In the Ontario Collective Bargaining Act these questions were placed within the jurisdiction of a judge of labor court. This policy greatly facilitated the negotiation and contributed to the growth of union membership.

This review indicates that periods during which favourable legislations were enacted have corresponded with periods of relatively rapid growth in trade union membership. Thus along with other determinants of union growth i.e., social, political and economic, the legislation has an important influence on the growth of membership in trade unions.

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[27] An Act to provide for Collective Bargaining, 1943, C.4.

CHAPTER IV

THE PUBLIC SERVICE STAFF RELATIONS ACT (PSSRA)

In the previous chapter, we examined the development of Canadian labor legislation and its impact on union growth in the private sector. Similarly, in the federal public service, the development of legislation governing the relationship between the public servants and their employers has also passed through an evolutionary process culminating in the passage of the PSSRA. This chapter will sketch the events leading to the enactment of the PSSRA and how it has influenced the growth of staff associations and staff relations in the federal public service.

Background

The right of federal public servants to form associations has never been seriously questioned and staff associations have existed since 1889. It was not until 1944, that an Order-in-Council, P.C. 3676 established an institutional relationship between the government and the employee organizations. This Order authorized the creation of the National Joint Council of the Public Service of Canada to secure greater measure of co-operation between the state, in its

capacity as employer, and general body of the civil servants in matters affecting the civil service, with a view to increased efficiency and improved morale in the public service, combined with the well-being of those employed. This body, composed of representatives of the employer and employee organizations advised the government on matters affecting conditions of employment. It was not vested with authority to deal directly with rates of pay; nor was any means provided for the resolution of disagreements between the staff and official sides of the Council.

The Council was purely an advisory body and the government could accept, reject, or totally ignore the recommendations made by the Council, and all three eventualities occurred. During its existence, the Council formulated more than seventy recommendations, including the five-day week, the check-off of association membership dues, etc. Disillusionment of the staff associations developed in the early periods of the Council's formation, primarily perhaps, because the association leadership had expected too much out of this first real concession by the government. The situation was further aggravated when the view that salary matters were not within the Councils' jurisdiction came to dominate, even though the original enunciation of the Councils' scope was broad. This became a major source of dissatisfaction to all staff associations. The staff leadership wanted to supplement the Council with arrangements that would allow for expansion of the scope of labor-management relations within the service.

One such arrangement sought by the associations was the setting up of a Pay Research Bureau (PRB) on lines similar to one established in Britain in 1956. The main objective of the British PRB was to facilitate salary negotiations by providing comparative data used in setting the rates of pay of federal employees. It was felt by the associations that fair utilization of the Canadian Bureau's services could well diminish the unilateral character of salary determination. The Bureau was established on September 4th, 1957. In 1959, after the Bureau reported its findings on the then-existing wages and salary conditions in the economy, joint consultations between the staff leaders and the Civil Service Commission took place. No definite agreements were reached. The Commission then proceeded to make recommendations on possible salary increases to the Treasury Board, without forwarding a copy of the recommendations to the staff representatives. Furthermore, the government, after considerable delay, rejected the recommendations of the commission, still without making them public. It was felt by the staff associations that in spite of the establishment of the PRB the government was still practicing unilateralism in salary determination. The whole episode succeeded only in arousing the ire of the staff associations.

The next legislative measure affecting the staff associations was the Civil Service Act of 1961. This Act required the Civil Service Commission to consult with employee organizations before making recommendations on rates of pay. It also required the Treasury Board to do likewise before arriving at

decisions. The government considered this Act an important milestone, and perhaps silently hoped that the vociferousness of the associations would be toned down as a result. This triangular relationship between the commission, the Treasury Board and the staff associations however, proved to be cumbersome and produced an unhappy experience on all sides. This caused the staff associations to demand an appropriate form of collective bargaining for settling the issue concerning salary and other working conditions.

The federal elections of 1963 provided the associations with an opportunity to press for their demands. They asked the four national parties for their clear-cut stand on the issue of collective bargaining right for the federal employees. The Liberals took a fairly unambiguous position on the question, and when returned to power, proceeded to honor their promise. A Preparatory Committee On Collective Bargaining, under the chairmanship of Heeney was established in August, 1963, to prepare the way for instituting a system of collective bargaining culminating in compulsory arbitration.[1] The findings of this committee were presented to the government on July 2nd, 1965. The Heeney report recommended that the process of collective bargaining be extended to every government agency "not covered by or excluded from the provision of the Industrial Relations and Disputes Investigations Act."[2]

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[1] A.D.P. Heeney, Report of the Preparatory Committee on Collective Bargaining in the Public Service, (Ottawa: Queen's Printer, 1965), p. 1.

[2] Ibid., p. 24.

The recommendations of this committee regarding arrangements and procedures to implement collective bargaining in the federal public service were well received by all concerned.

The report might well have been implemented shortly thereafter, had not 17,000 postal employees gone on strike some few weeks after the report's release. The strike caught the government off guard and generated extensive discussions in governmental associations and press circles. The postal strike gave other groups of civil servants the incentive for looking at the strike weapon as a means of achieving their ends. On July 30th, 1965, Toronto Customs and Excise Officers voted to ask their association for permission to hold a strike vote to back demands for a larger pay increase, even though previously their National association had passed a "no strike vote" policy. On August 26th, 1965, the convention of the 80,000 member Civil Service Federation adopted a resolution to oppose any legislation that would deny civil servants the right to strike.[3] Undoubtedly, the mood of this convention and the passage of this resolution were influenced by the postal strike. Against this background, after the 1965 elections, the Cabinet examined the question of collective bargaining and the right to strike for federal employees. The upshot of the Cabinet meetings was a compromise. The Collective Bargaining Bill (Bill C-170) introduced in the House of Commons in early 1966, required an association seeking certification as a bargaining agent to indicate, prior to being

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[3] The Toronto Globe and Mail, August 27th, 1965, p. 5.

certified, whether it would follow a compulsory arbitration route, or a conciliation with a right to strike alternative. At the special joint committee stage, this section of the Bill was amended to give the bargaining agent the chance to select the desired path prior to the commencement of bargaining, for each new contract. The Bill received the royal assent on February 23rd, 1967 and was known as the Public Service Staff Relations Act, 1967, (PSSRA).

An Evaluation of the PSSRA

The PSSRA was a momentous step forward in employer-employee relations in the federal public service of Canada. The Act established the right of every employee to be a member of employee organization and to participate in its lawful activities. The Act prohibits against certain unfair labor practices e.g., management discrimination against employees who are members of the staff organizations. The PSSRA has given the right of collective bargaining to over 200,000 employees including the supervisors and professionals who are expressly excluded in many other labor relations Act. It has also given the right to strike to almost all the employees (except in the case of employees designated as performing duties necessary to the safety of and security of the public). It has transformed staff associations which consulted on pay and working conditions into unions that negotiate.

Broadly speaking, the Act is similar to most of the

labor relations legislation in Canada. There are certain distinguishing features of the Act however, which need special mention and are discussed below.

Section 7:

> Nothing in this Act shall be construed to affect the right or authority of the employer to determine the organization of the Public Service and assign duties to and classify positions therein.

According to this section, management has the exclusive right to classify positions and assign duties. In private sector however, it is now common practice to negotiate some or all aspects of classifications. In the federal sector, this section has been used by management negotiators to prevent any discussion of problems involving classification.[4] A grievance procedure dealing with classification has been established in consultation with the Treasury Board, but its weakness is that it does not provide for impartial adjudication.

Section 36:

> (1) Subject to subsection (2) of section 37, every bargaining agent for a bargaining unit shall, in such manners as may be prescribed, specify which of the either of the process described in paragraph (w) of section (2) shall be the process for resolution of any dispute to which it may be a party in respect of that bargaining unit.

This section indicates that a bargaining agent must specify the process of dispute settlement. This has to be done before the bargaining can commence. The two processes

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[4] C.A. Edwards, "Collective Bargaining in Canada, between the Federal government and its Employees", Civil Service Review, XLIII (June, 1970), p. 10.

of dispute settlement provided in the section 2 of the Act are binding arbitration and the conciliation with a right to strike route. Once the option has been exercised it remains in effect until the next time the notice to bargain is given. In no other labor relation Statute are employee organizations required to make such an option.

Section 56(2):

No collective agreement shall provide, directly or indirectly, for the alteration or elimination of any existing term or condition of employment or the establishment of any new term or condition of employment.

(a) the alteration or elimination of which or the establishment of which, as the case may be, would require or have the effect of requiring the enactment or amendment of any legislation by Parliament, except for the purpose of appropriating moneys required for its implementation

or

(b) that has been or may be, as the case may be, established pursuant to any Act specified in Schedule C.

Section 56 of the Act precludes such commonly negotiable areas as career opportunities, lay off, demotion and areas of job security. These areas are covered by other Statues e.g., The Government Employees Compensation Act, The Public Service Employment Act, The Public Service Superannuation Act and the Government Vessels Discipline Act. Section 56 thus limits the scope of the subject matter for collective agreements and has been criticized severely by staff associations. Staff associations do not object to the Public Service Commissions's control on hiring practices, in order to maintain the merit principle. They would, however, like other

job security and career opportunity areas, subject to bargaining.

Section 70:

> (1) Subject to this section, an arbitral award may deal with the rates of pay, hours of work, leave entitlements, standard of discipline and other terms and conditions of employment directly related thereto.
>
> (2) Subsection (2) of section 56 applies *mutatis mutandis* in relation to an arbitral award.
>
> (3) No arbitral award shall deal with the standards, procedures or processes governing the appointment, appraisal, promotion, demotion, transfer, lay-off or release of employees that was not a subject of negotiation between the parties during the period before arbitration was requested in respect thereof.

Section 70 thus places severe restrictions on matters that can be arbitrated. There is no such restriction if the process of dispute settlement is conciliation. Despite this fact that majority of the bargaining units have opted for arbitration, this section seems to be acting against their interests and may swing them in favour of conciliation process. Copies of an agreement covering all other issues that have been agreed to in negotiations are to be annexed to the application for arbitration. It is claimed by the unions that when they make an application for arbitration, the government side withdraws agreement on many issues previously agreed to at the bargaining table. For example, the government can threaten to withdraw any form of union security, check off privileges, department shop, etc. This pressure can have a marked effect on the power of a bargaining agent.[5]

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[5] *Ibid.*, p. 12.

These then, are some of the features of the PSSRA which distinguish it from other labor relations legislation in Canada. Some of these features constitute the inherent weakness in the Act, especially from the employee's point of view, and staff associations are working for amendments. There is no doubt however, that the PSSRA has been a great step forward in staff relations in the federal public service of Canada and it should influence the policies, tactics, and growth of staff associations.

Impact of the PSSRA on the Growth of Staff Associations

Ever since they came into existence, employee organizations have been making representations on behalf of their members. In the absence of any formal relationship with the government, these associations acted as pressure groups. The response of government to the claims of staff associations was largely influenced by their strength and relative importance vis-a-vis other groups. The effectiveness of staff associations thus must be seen as a function of their numbers and their relationship to each other. The latter has been discussed in a previous chapter. In this section, we shall deal with the growth of staff associations and to what extent it has been influenced by the PSSRA. Since it was not until 1944 that the first legislative measure in the direction of an institutional relationship between the government and the staff associations was taken, the growth of staff associations

will be studied for the period 1940-1970. It was also pointed out in a previous chapter that three staff associations namely, Civil Service Federation, Civil Service Association and the Professional Institute represent more than ninety per cent of the members enrolled in the associations. The membership figures for these three associations will be used to study the growth of staff associations.

Growth of Staff Associations Prior to the Enactment of the PSSRA

The number of employees belonging to staff associations in the federal public service is not fully ascertainable. The Labor Organizations in Canada, an annual publication of the Department of Labor, reports on the trade union membership in Canada. It does not however, include the membership of all federal public service associations in arriving at total membership figures. At least one of the two criteria must be met before an associations' membership is officially counted in the trade union total. Either it must be affiliated with one of the central labor congresses, or it must be certified as a bargaining agent by a provincial or federal labor relations board. Only a few of the staff associations e.g., the Letter Carriers and Postal Employees' Union etc., had been affiliated with the CLC before the enactment of the PSSRA. Membership figures for these organizations were reported regularly and included in the trade union membership statistics published by the Department of Labor. The latter also reported

regularly, the membership figures for other staff associations, with the exception of the Professional Institute of the Public Service of Canada. The membership figures for the staff associations and total federal employment are reported in Table I. These figures indicate, that over the years there has been a rapid increase in the membership of the staff associations.

One important factor contributing to the growth of staff associations has been the growing size of the federal public service. In the decade of 1940-1950, the size of federal employment almost tripled. This increase was brought about partly by the Second World War which necessitated the creation of such new federal departments as Munitions and Supply, National War Services, Veteran Affairs, etc. The increase in population, and increasing involvement of government in social and economic life of the country also resulted in an enlarged public service.

The impressive growth of membership in staff associations is likely to have also been influenced by factors such as the rapid economic gains made during post war years by unions in the private sector; efforts on the part of government and staff associations to establish a process of joint consultation to determine wages and other working conditions in the public service, and employees' belief that collective action would help to improve conditions of employment in the federal service.[6]

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[6] A.D.P. Heeney, Report of the Preparatory Committee on Collective Bargaining in the Public Service, op. cit., p. 10.

TABLE I

MEMBERSHIP IN STAFF ASSOCIATIONS AND TOTAL FEDERAL EMPLOYMENT FOR YEARS 1940-1970, INCLUSIVE

Name of the Association / Year	CSF	ACSC	CSAO	PIPS	CUP W	FALC	Total Membership (A)	Federal[c] Employment (B)	Percentage (A) of (B)
1940	16,000	3,978	1,343	. . .	. . .	. . .	23,321	49,739	47
1943	28,285	5,978	. . .	1,575	. . .	. . .	35,840	104,055	34
1946	40,000	7,018	. . .	1,963	. . .	. . .	48,981	120,557	41
1949	50,000	7,600	. . .	2,200	. . .	. . .	59,800	123,924	48
1952	60,00	5,658	. . .	2,850	. . .	. . .	68,500	131,646	52
1955	62,000	9,000	9,130	3,200	. . .	. . .	83,330	167,039	49
1958	80,000	28,000[a]	. . .	4,200	. . .	. . .	112,200	178,573	62
1961	83,000	30,000[a]	. . .	5,800	. . .	. . .	118,800	185,281	64
1964	72,000	33,000[a]	. . .	8,500	10,524	7,522	131,546	189,730	69
1967	92,000[b]	. . .	. . .	9,500	11,897	9,758	123,155	195,424	63
1970	130,000[d]	. . .	. . .	12,500[e]	16,000[f]	12,000[f]	170,500	212,300	79

[a]Figures are for the Civil Service Association of Canada, which came into being after the merger of A.C.S.C. and the C.S.A.O.

[b]Figures are for the Public Service Alliance of Canada which was formed in 1966 after the merger of C.S.F. and the Civil Service Association of Canada.

[c]These figures are from Federal Employment, published by the Dominion Bureau of Statistics.

[d]Figures for 1970 are reported in Labour Gazette, XIX (April, 1970), p. 279.

TABLE I -- Continued

[e]These figures were supplied by Mr. Mitchell, Information Officer, PIPS.

[f]Reported in The Edmonton Journal, September 5, 1970.

Source: Membership figures for different staff associations are from the Labor Organizations in Canada, 1940-1969, (Ottawa: Queen's Printers).

Abbreviations:
C.S.F., Civil Service Federation of Canada
A.C.S.C., Amalgamated Civil Service Association of Canada
C.S.A.O., Civil Service Association of Ottawa
PIPS, Professional Institute of the Public Service of Canada
C.U.P.W., Canadian Union of Postal Workers
C.A.L.F., Federated Associations of Letter Carriers

Growth of Staff Associations After the Enactment of the PSSRA

The PSSRA has fulfilled the associations' goal of establishing a bilateral relationship for negotiating the working conditions in the federal public service of Canada. Like the Wagner Act (1935) in the United States, and the P.C. 1003 (1944) in Canada (private sector), the PSSRA has given the federal employees: (1) the right to organize, (2) the right to collective bargaining and (3) the right to strike. It has also brought about a phenomenal increase in the membership of staff associations.

During the three-year period 1967-1970, since the Act was passed, there has been a tremendous growth in the membership of staff associations. The rise in membership has been from 123,000 to 170,500, a gain of thirty-eight per cent in three years, where as the federal employment increased only by eight per cent during the same period (see Table 2). This exceptionally high rate of growth in membership of staff associations clearly indicates that the PSSRA has been instrumental in the growth of staff associations.

Impact of the PSSRA on Staff Relations

The PSSRA has given the right of collective bargaining to over 200,000 employees in the federal public service. In the private sector, unions and employers have long recognized that a collective agreement serves to stabilize the relations between a union and an employer by holding in abeyance, during

TABLE 2

A COMPARISON OF PER CENT CHANGE IN MEMBERSHIP OF STAFF ASSOCIATIONS AND FEDERAL EMPLOYMENT FOR YEARS 1940-1970 INCLUSIVE

Year	Total Membership in Staff Associations (A)	Per cent Change In (A)	Federal Employment (B)	Per cent Change In (B)
1940	23,321	Ø	49,739	Ø
1943	35,840	53	104,055	109
1946	48,981	36	120,557	16
1949	59,800	20	123,924	2
1952	68,500	14	131,646	6
1955	83,330	21	167,039	26
1958	112,200	34	178,573	6
1961	118,800	6	185,281	3
1964	131,546	10	189,730	2
1967	123,155	-7	195,424	3
1970	170,500	38	212,300	8

Source: Figures for (A) and (B) are taken from Table 1.

the life of the contract, recurring demands on the part of the union for changes in wages, hours and conditions of employment. That collective bargaining can bring about more stable and better union-management relations in the public sector as well, has also been emphasized by various authors.[7] Good union-management relations, according to these authors pay off in better communication with employees; improved employee morale; and uniform application of administrative policies, etc. This part of the study deals with the impact of the PSSRA on staff relations. It is in no way an in-depth study; the objective is to examine the following:

1. employer-employee relations in the federal public service as influenced by the PSSRA.
2. probable amendments in the PSSRA, that may occur in the next few years.

Designing the Questionnaires

The data to be discussed in this part of the study was collected by means of questionnaires. Two questionnaires were designed -- one for staff relation officers, and the other for officials of the employee organizations, and are termed as Management Questionnaire and Employee Organization Questionnaire, respectively. Both of these questionnaires were based

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[7] W./D. Heisel and J.P. Santa-Emma; "Union in Cincinnati Government", in Kenneth O. Warner (ed.), Management Relations with Organized Public Employees, (Chicago: Public Personnel Association, 1963), pp. 116-22.

on those used by Lewis[8] in his study of The Impact of Executive Order 10988 (U.S.).

Management Questionnaire[9]

This questionnaire was divided into two parts. In Part I, questions (1 to 3) related to areas of staff relations which were anticipated to be directly affected by the PSSRA. These included: union activity, grievance petitions, communications between management and employees. Question 4 required respondents to make certain predictions concerning the state of employee-management co-operation in the next three to five years.

The purpose of Part II (Q. 1-3) was to assess the usefulness of the PSSRA from the point of view of the staff relations officers, and if their experience with the Act suggested any need for amendment of the latter.

Employee Questionnaire[10]

Like its counterpart, this questionnaire was also divided into two parts, the first part dealing with those areas of staff relations which were expected to be influenced by the PSSRA. Question 4 was intended to determine if more employees are likely to choose conciliation as the dispute settlement process for future bargaining with the government than in the

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[8] C. Lewis, "Impact of Executive Order 10988 upon the Defence Agencies" (Unpublished Masters' Thesis, U.S. Naval Post Graduate School, Monterey, California, 1965).

[9] See Appendix A.

[10] See Appendix B.

past.[11] Part II of this questionnaire attempted to determine how the employee organizations see the government in its dual role of an employer and a neutral third party trying to protect the public interests.

Sample Size and Collection of Data

Time and cost restraints forced us to limit the size of the sample receiving the questionnaire by mail. A further complication was caused by the rotating postal strike, since mailing was the only feasible method that could be used. The sample of management representatives consisted of the Staff Relation Officers in headquarters of all federal departments at Ottawa. The list of names and addresses of these officials were obtained from the Staff Directory issued by the Government. As a safeguard against the possibility of these questionnaires being held up in a country-wide mail strike, questionnaires will also sent to all the staff relations officers, in the various federal departments located at Edmonton and Calgary. It was planned that, should a mail strike occur, these officers at Edmonton and Calgary would be contacted personally. Such a situation did not arise. The choice of Staff Relation Officers at the headquarters was based on the assumption that their views on the impact of the PSSRA on staff relations

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[11] Claude Edwards speaking at the triennial Convention of the PSAC observed, "his high hopes for an almost exclusive use of arbitration as the last stage of dispute settlement were fading, and that union members should prepare to choose strike option more frequently." Labour Gazette, LX (April, 1970), p. 279.

would be representative of the thinking of the management on this issue. In all, ninety-five questionnaires were mailed to staff relations officers in different federal departments.

The sample to which Employee Organization Questionnaire was distributed consisted of National Presidents of the various components of the PSAC, Presidents of all the Locals of the Canadian Air Traffic Control Association and National Research Council Employee Organization. Copies of the questionnaire were sent to the information officer of the Professional Institute Head Office at Ottawa, who promised to distribute them to the concerned officials. A letter requesting the names and addresses of various officials of the Postal Employees Union was sent to their head office but no response was received. As a result, only the secretary of the Edmonton local of the Union of Postal Workers could be approached. Questionnaires were also sent to the Presidents of the various locals of the PSAC in Edmonton and Calgary. A total of eighty-three questionnaires in this category were distributed.

Each of the questionnaires was accompanied by a covering letter explaining the purpose of the questionnaire and requesting that it be returned, after completion, as soon as possible.[12] Each questionnaire was coded for the name and address of the person to which it was sent. A second reminder was mailed to those persons whose completed questionnaires

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[12] See Appendix C.

were not received within four weeks of the initial mailing.[13] This rather longer interval for "second reminder" was necessitated due to the uncertain postal situation during that period.

Final returns totalled sixty-seven completed questionnaires from 70.5 per cent of the ninety-five staff relations officers in the sample. Subsequent examination of the responses showed that two were incomplete; therefore, the results of this study were based upon sixty-five returns, or 68.4 per cent of the population surveyed.

The rate of response to the Employee Organizations Questionnaire was not very high. Only eighteen per cent of the eighty-three questionnaire were completed and returned. The results from a questionnaire with such a low rate of response cannot be assumed to indicate a representative view of officials or the members of the employee organizations. They may, however, indicate some trends in the course of staff relations as influenced by the PSSRA.

The presentation of data and its analysis are set forth in chapter five.

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[13] See Appendix D.

CHAPTER V

ANALYSIS

This chapter is designed to provide an analysis of the data developed in Chapter II and Chapter IV. The data on the origin and growth of staff associations is based on the documentary evidence, while the staff relations in the public service have been studied with the aid of questionnaires.

Origin of Staff Associations

In our review of theories of the labor movement, (Chapter I), it was maintained that Perlman's theory of job-conscious unionism was the most appropriate in explaining the origin and behaviour of trade unions in North America. According to this theory, workers join unions in a drive to assure themselves some degree of control over the affairs of work place, some means of establishing working rules which allocate the admittedly scarce job opportunities of any place of employment and which remove from an arbitrary authority the power to make such decisions.

A study of the events leading to the founding of staff associations clearly indicates that the origin of associations is best explained by the Perlman's theory of the labor movement. In the late nineteenth and early twentieth centuries,

the arbitrary authority which distributed the scare job opportunities in the public service of Canada were the politicians and a system of political patronage. The report of the select committee of 1887 clearly supported this assertion. In the Department of Marines, on December 31st, 1876, out of a total of 1596 employees, at least 1350 were appointed on political nominations. That the job opportunities were scarce is pointed out by the fact that most of these appointees lost their jobs and were replaced by the supporters of the other party when the latter came into power. The period from confederation to 1880 saw two changes of government: Macdonald resigned in 1873, and the Liberals were defeated in 1878. On each occasion, changes in the personnel of the civil service followed closely the new party's accession to power. This principle of political patronage was not concerned with attracting capable men to the civil service and paying competitive salaries. The appointments were based on the principle of "rewarding your friends". As a result, the salary and wage rates in the civil service lagged behind those in the private sector. That the civil servants were conscious of the scarcity of opportunities and low rates of wages and salaries is evident from the brief presented to the Royal Commission by the Civil Service Association of Ottawa.

The civil servants requested higher wages and a system of appointments and promotions based on the principle of merit. Such a system, they hoped, would not only free them from an arbitrary authority of politicians, but also provide greater

job opportunity and security.

The resolution passed by the Professional Institute at its first annual conference held in 1920, provides yet another proof of the application of Perlman's theory to unionism in the public service. The Institute sought the cancellation of the government's contract with the American firm and requested appointment of civil servants to accomplish the reorganization of the service. The Institute was thus attempting (1) to allocate the scarce job opportunities among the members, and (2) to achieve a degree of control over a system of job classification which determined the rates of pay and other working conditions of the civil servants.

Staff associations, since their origin, have been primarily concerned with seeking improvements in the working conditions of their members. They have tried to accomplish this through joint consultation and collective bargaining. These associations have not attempted to overthrow the prevailing economic, social, or political system (as Marxists would have likedto see). The associations, though concerned with the issues of industrial jurisprudence, have not shown any tendency to absorb the functions of management (as predicted by Tannenbaum)[1].

The associations have, on the other hand, sought remedies for the problems arising in the place of work, and higher wages and salaries for their members. The origin and behaviour of staff associations is thus, best explained

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[1]Tannenbaum, A Philosophy of Labor, op. cit., p. 168.

by Perlman's theory of job-conscious unionism.

Growth of Staff Associations

Growth of Staff Associations Prior to the Enactment of the PSSRA

The growth of staff associations for the period 1940-1970 inclusive has already been reported in Table 1, page 55. Since 1940, more than forty per cent of the federal employees have been members of the staff associations (except for 1943). During the same period, membership in the trade unions, on the other hand, has varied from sixteen per cent to thirty-four per cent of the total non-agricultural paid workers (Table 3). In Table 4, we have a comparison of per cent change in membership of staff associations and total union membership. In general, membership in staff associations has increased at a rapid rate than the growth in trade unions (excepting in the years 1940-43 and 1964-67). During the period 1940-43, the process of legalizing collective bargaining in the private sector was completed and this was an important factor contributing to the rapid increase in trade union membership. Trade union membership figures for the year 1967, include for the first time, Public Service Alliance of Canada which had a membership of 92,000. This fact partly accounts for anunusual growth in trade union membership during 1964-67. The various factors that may account for a higher per cent of federal employee membership in the staff associations and

TABLE 3

A COMPARISON OF MEMBERSHIP IN STAFF ASSOCIATIONS AND UNION MEMBERSHIP IN CANADA FOR YEARS 1940-1967 INCLUSIVE

Year	Membership in Staff Associations as Per cent of Federal Employment[a]	Union Membership as Per cent of Non-Agricultural Work Force[b]
1940	47	16
1943	34	22
1946	41	28
1949	48	30
1952	52	30
1955	49	33
1958	62	34
1961	64	31
1964	69	29
1967	63	32
1970	79[c]	32[d]

[a]See Table 1.

[b]Labor Organizations in Canada, (Ottawa: Queen's Printers, 1967), p. xi.

[c]Based on figures reported in Table 1, page 55.

[d]This figure is calculated on the basis of a four per cent increase in the trade union membership and a five per cent increase in the total non-agricultural paid workers, for the year 1969-70. Increase in trade union membership and total non-agricultural paid workers for the year 1967-68 was 4.6 per cent and 2.0 per cent respectively for the year 1968-69, 3.2 per cent and 5.1 per cent respectively. (Labor Organizations in Canada, op. cit., 1968, 1969).

TABLE 4

A COMPARISON OF PER CENT CHANGE IN MEMBERSHIP OF STAFF ASSOCIATIONS[a] AND TOTAL UNION MEMBERSHIP IN CANADA[b] 1940-1967

Year	Membership in Staff Associations (000) (A)	Membership in Trade Unions (000) (B)	Per cent Change since the previous reported year (A)	(B)
1940	23	362	. .	. .
1943	35	665	53	83
1946	48	832	36	25
1949	59	1,006	20	20
1952	68	1,146	14	14
1955	83	1,268	21	10
1958	112	1,454	34	15
1961	118	1,447	6	-1
1964	131	1,493	10	3
1967	123	1,921	-7	28
1970	170[c]	2,158[d]	38	12

[a]Based on figures reported in Table 1.

[b]Labor Organizations in Canada, (Ottawa, Queens Printers, 1967), p. xi.

[c]Based on figures reported in Table 1, p. 55.

[d]Calculated on an anticipated four per cent increase in the trade union membership for the year 1969-70. The corresponding increase for the years 1967-68 and 1968-69 was 4.6 per cent and 3.2 per cent respectively. (Labor Organizations in Canada, op. cit., 1968, 1969).

their rapid growth as compared to the trade union membership are: (1) a common employer; (2) concentration of employees in Ottawa and other large metropolitan centres; and (3) no efforts on the part of government to question the right of federal employees to join staff associations.

During the period 1940-1943, there was a rapid increase in the total membership of the employees associations (Table 1, page 55). However, as per cent of the federal employment, the membership fell from 47 per cent to 34 per cent. It seems that the organizational efforts of the staff association could not keep pace with the rapid expansion of the civil service. By 1949, membership in the associations was forty-eight per cent of the total federal employment which is of the same order as in 1940.

Next period of rapid growth in associations' membership corresponds to the years 1955-1958. One of the important factors influencing the rise in membership was the granting in 1953 of voluntary revocable check-off to organizations represented on the National Joint Council, providing them with financial stability and foundation for rapid growth in size and influence. The associations were thus in a better position to organize the expanding federal public service which increased in size from 131,646 to 176,198 employees (Table 1, page 55), a growth rate of thirty-four per cent in a period of six years (1952-1958). Other developments which influenced the growth of associations included increasing militancy of the staff associations and their demand for collective

bargaining in the federal public service. At the Twenty-first Convention of the Civil Service Federation held in Ottawa in 1956, a convention resolution called for the establishment of "Conciliation Machinery through an Arbitration Tribunal" whose awards would be accepted by both sides. It also called upon the Federation to seek the abolition of Section 55 of the Industrial Relations and Disputes Investigation Act[1], and it further recommended convention approve the principle of collective bargaining for civil servants.[2] Thus, by demanding the application of IRDI Act to the public service of Canada, the membership had not only accepted the principle of collective bargaining, but also identified itself with the trade union movement. This change in attitude indicated increasing militancy of the public servants and also contributed to the growth of staff associations.

Growth of Staff Associations After the Enactment of the PSSRA

One of the important determinants of union growth, it was maintained in Chapter III, was the favourable labor legislation. A legislation was considered favourable if it gave employees one or more of these rights: (1) the right to organize, (2) the right to free collective bargaining, and (3) the right to strike. It was pointed out that rapid

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[1]Section 55 of the IRDI Act states: Except as provided by section 54, Part I does not apply to Her Majesty in right of Canada or employees of Her Majesty in right of Canada.

[2]Civil Service Review, XXIX (September, 1956), p. 319.

increase in union membership took place during the periods when favourable legislation was enacted. In the light of these findings, one may hypothesize that since the PSSRA was a favourable legislation, it may have a significant influence on the growth of staff associations.

This hypothesis is confirmed by the data presented in Tables 2, page 58. Since 1967, when the PSSRA came into force, the membership in staff associations increased from 131,546 to 170,500. This corresponds to a growth rate of thirty-eight per cent during a three-year period, 1967-1970. The corresponding increase in the federal employment was only eight per cent. Such a rapid increase in the membership of staff associations becomes more significant when we realize that in 1967, sixty-three per cent of the federal employees were already members of staff associations. It has been argued by certain authors that greater the proportion of employment in the union sector that is already unionized, the more difficult it is to further increase union membership. This is based on the observation that, "As membership increases, there is a diminishing response to a given intensity of recruiting effort."[3] The compulsory check-off clauses in many collective agreements signed in the public service, after the enactment of the PSSRA, has also influenced the rapid increase in the membership of staff associations. Thus, the data presented in Tables 1-4, clearly indicate that the PSSRA

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[3] A.G. Hines, "Trade Unions and Inflation in the United Kingdom, 1893-1961", Review of Economic Studies XXXI (October, 1964), p. 229.

had a significant impact on the growth of staff association in the public service of Canada.

Impact of the PSSRA on Staff Relations

An analysis of the data relating to the impact of the PSSRA on staff relations is presented in this section. It is observed from the data reported in Table 5A, that eighty-six per cent of the staff relations officers reported increased union activity in their establishments. This is also supported by the responses from union officials who reported ten to sixty-five per cent increase in the membership of their components/local.[4] The median figure for such an increase was twenty to twenty-five per cent.

Increased union activity should cause union and management to explore means of improving employer-employee relations. This was reflected in an increase in the frequency of meetings between union representatives and staff relations officers. Fifty-one per cent of the latter reported that they met regularly with employee representatives (Table 5A), forty-five per cent of them having montly meetings, thirty-three per cent on an as-required basis and eighteen per cent on a weekly basis (Table 5B). Fifty-eight per cent of these staff relations officers reported that the frequency of meetings had increased after the enactment of the PSSRA.

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[4]For Analysis of responses to the Employee Organization Questionnaire, see Appendix E.

TABLE 5A

CHANGES IN STAFF RELATIONS IN THE FEDERAL PUBLIC SERVICE, AS INFLUENCED BY THE PSSRA[a]

Question Number[b]	Question	Yes Per cent	No Per cent	No Answer Per cent
(I) 1	Increased employee organization activity.	86	14	. .
(I) 2a	Meet regularly with employer.	51	46	3
(I) 3b	Better communications.	70	17	13
(II) 2	Collective bargaining made government task difficult	75	19	6
(II) 3	Prefer to see no collective bargaining.	13	68	19
(II) 4	Like to see the Act amended.	60	25	15

[a]Based on responses to the Management Questionnaire (See Appendix A).

[b]Number in parenthesis indicates part number of the questionnaire.

TABLE 5B

CHANGES IN STAFF RELATIONS IN THE FEDERAL PUBLIC SERVICE, AS INFLUENCED BY THE PSSRA[a]

Question Number[b]	Question	Per Cent[c]				Per Cent[c]			
		Weekly	Monthly	As Required	Others	Increased	Decreased	Same	No Answer
(I) 2b	How frequently you meet?	18	45	33	4	. . .	. . .	. . .	. . .
(I) 2c	Change in the frequency of regular meetings.	. . .	. . .	. . .	. . .	58	0	28	14
(I) 3a	Any significant change in the volume of grievance petitions.	. . .	. . .	. . .	. . .	83	0	12	5

[a]Based on responses to the Management Questionnaire (See Appendix A).

[b]Number in parenthesis indicates part number of the questionnaire.

[c]Per cent of Management officials meeting regularly with the employee representatives.

One factor contributing to increased frequency of such meetings may be the clause in various collective agreements requiring joint consultations on matters of common interest.

Improvement in the employer-employee communications was reported by seventy per cent of the respondents to management questionnaire (Table 5A, page 74), and sixty-one per cent of those who filled in employee organization questionnaire.[5] That the government has benefited by the PSSRA in terms of better communications was reported by twenty-seven per cent of the respondents, while forty-one per cent felt that it has resulted in efficient administration (Figure 3). Efficient administration was the result of uniform application of agreements, defining the role and duties of the management and employees, waning of paternalistic attitude on the part of management, etc. Eighteen per cent of the staff relations officers did not see any benefit accruing to the government as a result of the PSSRA.

The establishment of the collective bargaining system in the public service context has also influenced the role of government as a neutral third party safeguarding the public interest. That it has made the task of government more difficult vis-a-vis the objectives of the Prices and Incomes Commissions in holding the wages down, was the opinion of seventy-five per cent of the staff relations officers who responded to the questionnaire (Table 5A, page 74). This observation is

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[5] Appendix E.

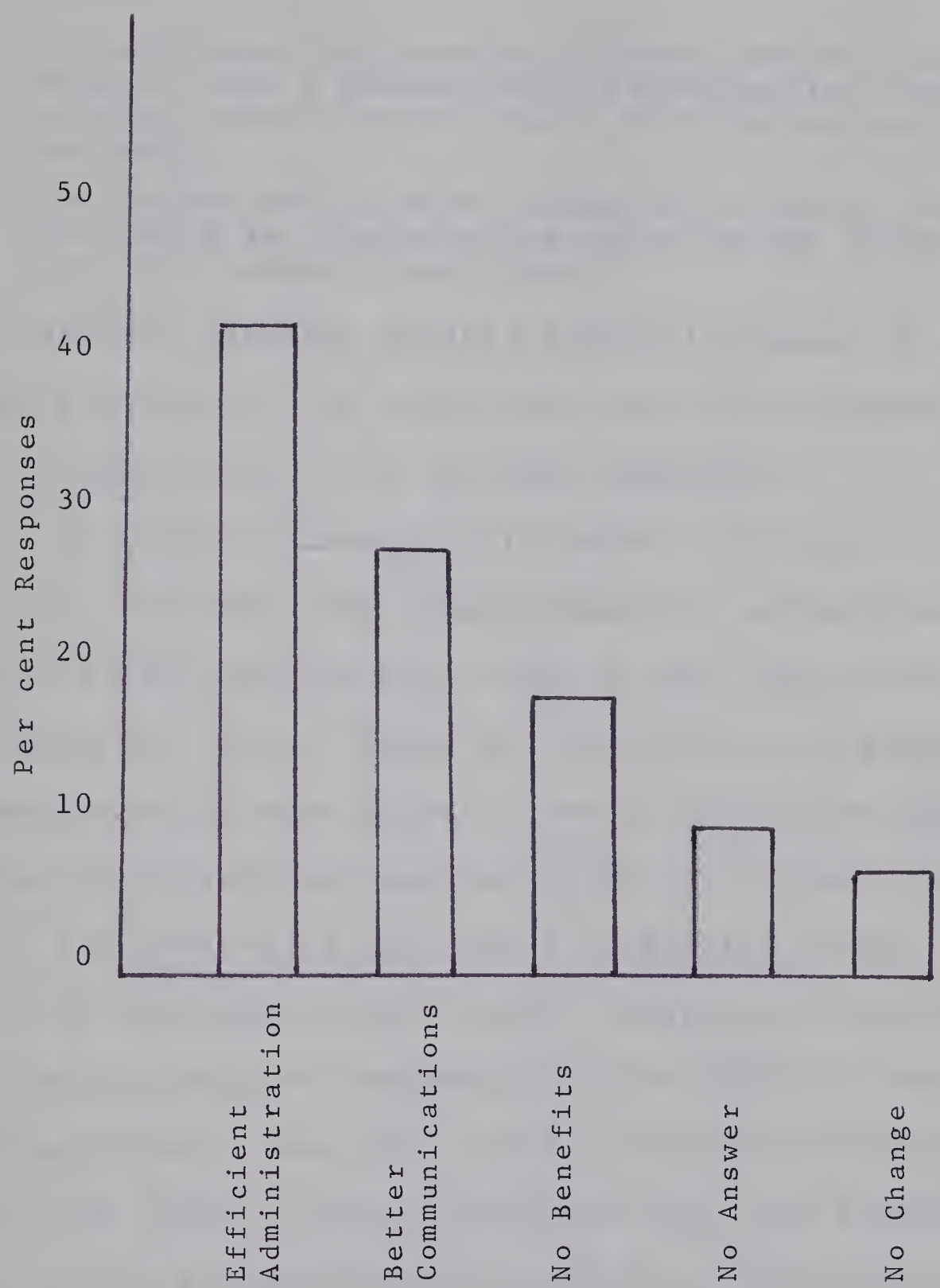

Fig. III.--Benefits accruing to the government as a result of the PSSRA. (Based on responses to Management Questionnaire, Appendix A.)

confirmed by the recent agreements signed in the public service. The Toronto Globe and Mail reported one such agreement as follows:

> "A government arbitration tribunal has broken through Ottawa's own 6 percent wage guideline in a precedent setting award to more than 1,200 professional public servants.
>
> The Prices and Incomes Commission promptly branded the award as totally unjustified in the light of current economic conditions.[4]

The award in question granted salary increases of seven to eight per cent in the first year, and six to seven per cent in the second year of a two-year agreement.

In spite of these difficulties, the staff relations officers felt that the establishment of collective bargaining in the public service was a step in the right direction. Only thirteen per cent of those who replied to the management questionnaire would have liked to see no collective bargaining, while sixty-eight per cent approved of it (Table 5A, page 74).

The newness of collective bargaining in the public service, it was hoped, would create unexpected situations. This in turn may require amendments in the PSSRA to meet these new eventualities. Thus, the staff relations officers were asked if in the light of their experience with the PSSRA, they would like to see any amendments in the Act. These results are presented in Figure IV. About forty-two per cent of the sixty per cent who would like to see that Act amended, suggested that employees' right to strike should be withdrawn. Twenty-

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[4] The Toronto Globe and Mail, October 10th, 1970, p. B-1.

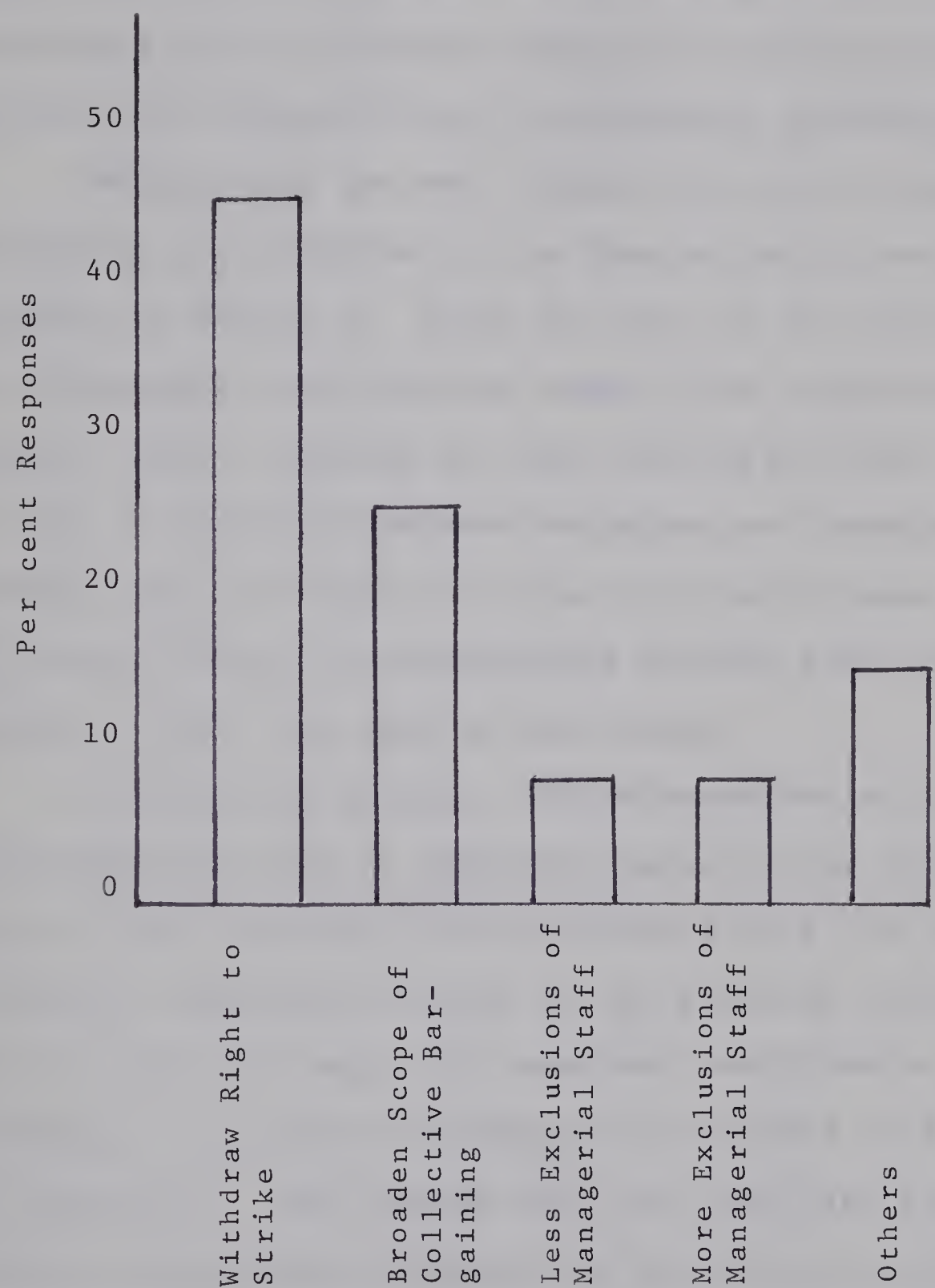

Fig. IV.--Suggested amendments in the PSSRA. (Based on responses to Management Questionnaire, Appendix A.)

four per cent felt that conditions of service such as lay-offs, seniority, super annuation, etc. should be included in collective bargaining context. Other suggested amendments related to exclusion of supervisory personnel from bargaining units primarily composed of non-supervising staff, exclusion of managerial and confidential personnel, etc.

Changes that are most likely to occur in employee-management co-operation in the federal public service are reported in Figure V. Sixty per cent of the respondents to the management questionnaire expect that communications will improve, while eighteen per cent anticipate that there will be less co-operation between employees and management. Other changes that are likely to occur include increased militancy and formalization of relationship between employer and employees, (eight per cent in each case).

As mentioned earlier, only sixteen out of eight-three questionnaires sent to employee organizations were returned. Most of the respondents were satisfied with the results of collective agreements signed in the previous three years. Most of them had opted for compulsory arbitration and would recommend this method for dispute settlement in future rounds of agreements. They agreed that the PSSRA had resulted in better communications between the employees and management and caused an increase in the volume of grievance petitions. The majority of them felt that bargaining with the government was more difficult than it is in the private sector. They also felt that government as an employer, with respect to

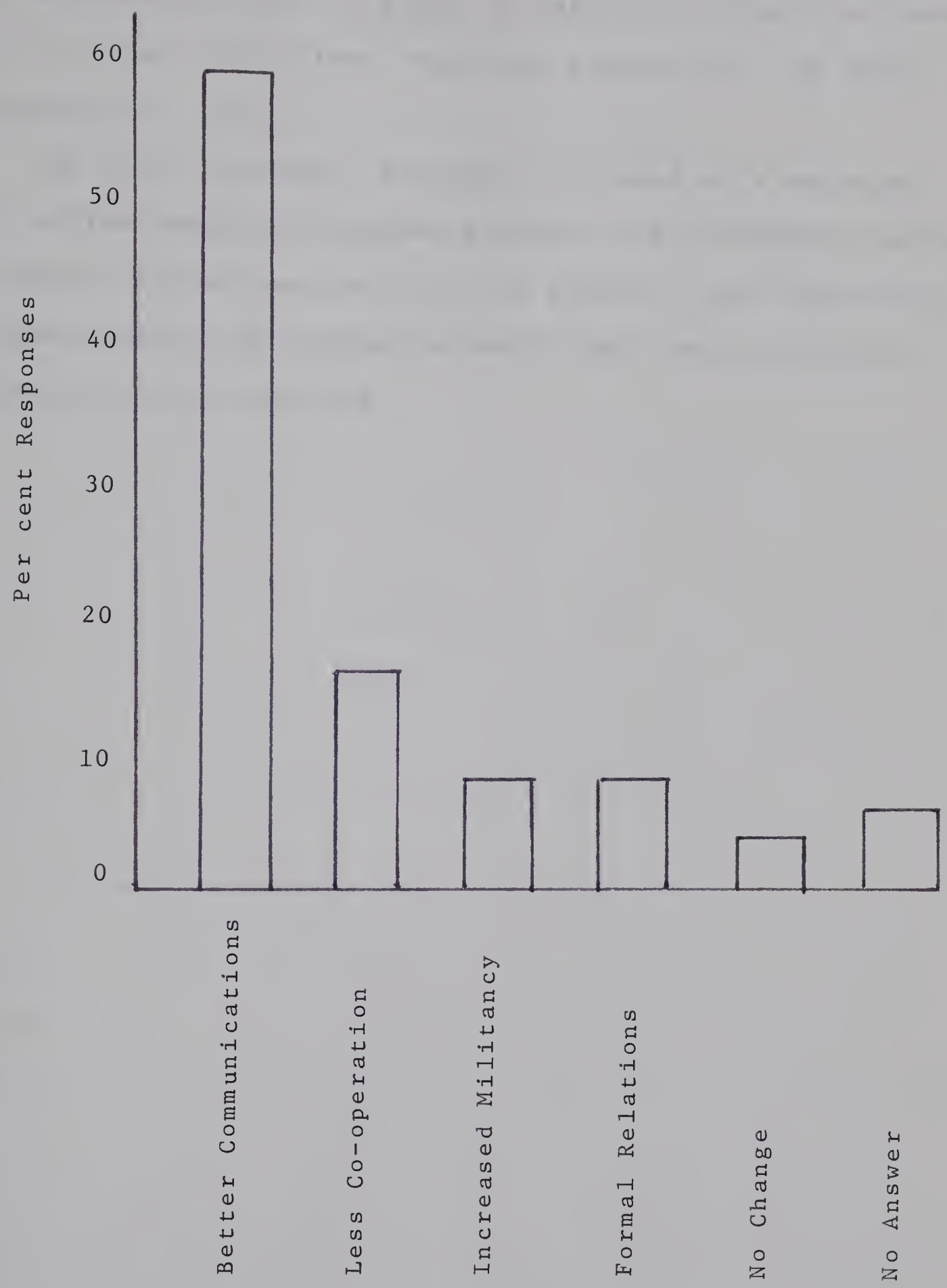

Fig. V.--Probable changes in the employee-management co-operation in the federal public service. (Based on reponses to Management Questionnaire, Appendix A.)

collective bargaining, takes advantage of the situation. They recommended that the scope of bargaining should be broadened to include provisions regarding promotions, lay offs, superannuation, etc.

The above findings, although not based on a detailed study of the employer-employee relations in the public service, do provide us some insight into the latter. They also point out some significant trends, on which the future of staff relations can be predicted.

CHAPTER VI

THE FUTURE OF STAFF RELATIONS

The intent of this chapter is to first summarize the results of this study and what they imply about the answer to the question: What is the outlook for staff relations in public service of Canada?

Before attempting to do so, it is important to remember that the story of staff relations has no conclusions, only different stages of development, each stage being an outcome of the interaction of various social, political, and economic forces. The purpose is not to predict specific future events, but rather to focus attention in areas in which developments are likely to occur and which will have a significant impact on staff relations.

The primary purpose of this thesis to explore the relevance of existing theoretical foundations of the origin and development of trade unionism as a foundation for explaining the origin and behaviour of staff associations has been achieved. Staff associations, since their beginning, have concerned themselves with obtaining for their members improvements in the working conditions, and some control over the affairs of the work place. Perlman's theory of job-conscious unionism seems to provide the necessary framework for explaining the origin and behaviour of staff associations.

There has been an increased union activity and a rapid increase in the membership of staff associations after the enactment of the PSSRA in 1967. During the three-year period (1967-70), the membership in staff associations increased from 123,155 to 170,500, an increase of thrity-eight per cent. About ninety-three per cent of the federal employees are covered by collective agreements under the PSSRA, the other seven per cent being the managerial and employees working in confidential capacity. On the other hand, the employment that does not come under the PSSRA, only about fifteen per cent of office employees in Canada, as a whole, are covered by collective agreements.[1]

The impact of the PSSRA on staff relations in the federal public service has been profound. Better communications have occurred, frequency of meetings between the staff relations officers and the employee representatives has increased. The PSSRA has provided a system of grievance adjudication, thereby resulting in an increase in the volume of grievance petitions. The PSSRA has made the role of the government difficult as an employer and as a neutral third party protecting the public interest. While the government finds it hard to maintain its own wage guidelines, the employees on the other hand feel that the former is taking advantage of them. In general, the employees are satisfied with the collective agreements signed in the previous three years. They would however, like to see the

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[1]Jacob Finkelman, "Some Aspects of Public Service Bargaining in Canada", Civil Service Review XLIII (March, 1970), pp. 20, 22.

scope of collective bargaining enlarged. The staff relations officers on the other hand, suggest that employees right to strike should be withdrawn. Both the staff relations officers and employee representatives anticipate a further improvement in the employer-employee relations and efficient administration in the federal public service.

The Shape of the Future

Behaviour of Staff Associations: A Projection

The present study has established that staff associations have accepted the philosophy of job-conscious unionism. This observation leads one to anticipate that associations will concentrate their efforts to achieve a greater degree of control over the affairs of the work place and to establishing working rules which allocate the scarce job opportunities in the federal public service. These efforts will be directed towards seeking amendments to those sections of the PSSRA which restrict such controls by the staff association. Section 56 precludes negotiations of promotions, demotions and lay off, etc. Section 70 of the Act restricts arbitrable matters to working conditions, rates of pay, hours of work, leave entitlement and standards of discipline and conditions directly related thereto. Important items like classification system, union security clauses cannot be the subject of arbitration. Thus, the association will try to make these

provisions the subject matter of collective bargaining and arbitration.

The acceptance of job-conscious unionism by staff associations has removed any serious differences in the goals and objectives of the latter and the trade union movement at large. As a result, an increasing co-operation between the two is anticipated. All the major staff associations, excepting the Professional Institute are already affiliated with the C.L.C. The C.L.C. constitution was amended in 1968 to require affiliates to belong to provincial federations of labor. This will result in a greater interaction between the blue collar unionism of Labor Federations and white collar unionism of the associations, and will strengthen the labor movement in Canada.

The majority of bargaining units have opted for the binding arbitration method of dispute settlement. The limitations on the arbitrable matters referred to already, may cause the employees to reverse their decisions in favour of the strike route. However, the establishment of seventy-two distinct and separate bargaining units has made a large scale strike of public servants unlikely. The only way it could be legally done would be if several units completed bargaining and conciliation at the same time. This is unlikely. Moreover, most of these units have little or no strike power; i.e., they are widely dispersed, would have limited effect on reduction of government services, or may have the majority of members designated as confidential or managerial personnel

unable to go on strike. Added to this is public opinion, which seems strongly against strikes in the public service.[2] Thus, in spite of increasing militancy of the staff associations, strike action may not be used as frequently as might be feared by some people.

Projections of Management Actions

The militancy of associations and threat of work stoppages will force management to make decisions more quickly. Situations may arise which create adverse employee action because management has failed to recognize employee discontent and to make necessary management decisions in time to alter the circumstances which create the discontent.[3] Thomas J. Plunkett cites the handling of the 1965 post office strike in Canada as an example of management failure to make decisions in sufficient time to prevent work stoppage in one vital government function. One way to minimize this possibility is for management to establish machinery and procedures that substitute quick decisions for procrastinations and delay.

Collective bargaining will have new responsibilities thrust upon the top to administration and elected officials. More than before, they will compete with union leaders for public acceptance of their positions. Already, the government has been criticized for its handling of the postal dispute.

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[2] Edmonton Journal, September 13th, 1970, p. 4.

[3] T.J. Plunkett, "Rethinking Management Relations in the Public Service" in Kenneth O. Warner (ed.), Collective Bargaining in The Public Service: Theory and Practice, (Chicago: Public Personnel Association, 1967), pp. 7-8.

The management will have to act more efficiently in order to obtain full public support for its policies regarding staff relations in the public service.

Collective bargaining in the public service will tend to line up public employees against the tax payers. It will also make government tasks of controlling wages and incomes more difficult. Some of the collective agreements signed in the public service have violated government's own wage guidelines, set up by the Prices and Income Commissions.[4] The public managers will thus be required to develop sophisticated means of negotiations in order to arrive at satisfactory agreements with the staff associations, to avoid work stoppages and also honor wage guidelines. The union leaders on the other hand, will need to learn the techniques of the salesman, the advertiser, and the shaper of public opinion, to obtain for their members a larger share of public purse.

These, then, are some of the significant trends in the future course of staff relations in the public service of Canada. Collective bargaining in the public service is relatively new and relatively undeveloped and would call for adjustments on the part of management and association. The evidence presented in this study however, clearly indicates the development of a healthier and amicable relationship.

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[4] The Toronto Globe and Mail, October 10th, 1970, p. B-1.

APPENDICES

APPENDIX A

Management Questionnaire

This questionnaire will be treated in strict confidence and the information from individual responses will be available to the author and his supervisor only.

Part 1:

1. Since the enactment of Public Service Staff Relations Act, 1967 OPSSRA), has there been a significant increase in the employee-organization activity in your establishment?

   Yes _____ No _____

2. Do you have a policy of meeting regularly with the representatives of employee organizations?

   a. Yes _____ No _____

   b. If your answer to part a is yes, please specify how frequently you meet?

   _____

   c. Has there been a change in the frequency of these meetings since the enactment of PSSRA?

   Increased _____ Decreased _____ Same _____

3. Since the enactment of PSSRA, have you noted any significant change in the following areas:

   a. Volume of grievance petitions:

   Increased _____ Decreased _____ Same _____

   b. Better communications with the employees.

   Yes _____ No _____

4. As a result of the enactment of PSSRA, what do you expect in the way of changes in employee-management co-operation in the federal public service in the next 3 to 5 years?

_____

_____

_____

Part II:

1. What benefits, if any, have accrued to the government as a result of PSSRA? Please elaborate .

_____

_____

_____

2. Has collective bargaining in the public sector made the task of government more difficult vis-a-vis the objectives of the Prices and Income Commission, in holding the wages down in the Public sector?

Yes _____ No _____

3. If your answer to question 2 is yes, would you have preferred to see no collective bargaining in the public sector?

Yes _____ No _____

4. Would you like to see any part of PSSRA amended?

Yes _____ No _____

If yes, please explain _____

_____

_____

APPENDIX B

Employee Organizations Questionnaire

This questionnaire will be treated in strict confidence and the information from individual responses will be availabel only to the author and his supervisor.

Part I:

1. Name and number of the local/Component _____

_____

2. Total membership of the local. Males ____ Females ____.

   a. Has the total membership changed since the enactment of Public Service Staff Relations Act, 1967 (PSSRA)?

      Yes _____ No _____

   b. If the answer to part a is yes, please specify (10%, 20%, etc.) _____

3. How many collective agreements has your bargaining unit signed since the enactment of PSSRA (1967)?

   _____

   Are you satisfied with the result of these agreements?

   Yes _____ No _____

   If the answer to the above question is no, please explain the reasons. _____

   _____

   _____

4. What process of dispute settlement did your unit specify?

Conciliation _____ Arbitration _____

Would you recommend the same process of dispute settlement for future bargaining?

Yes _____ No _____

If not, please explain the reasons _____

_____

_____

5. Since the enactment of PSSRA, have you noted any significant changes in the following areas?

a. Volume of grievance petitions. Yes ___ No ___

b. Better communications with the management. Yes ___ No ___

If your answer to any part of question 5 is yes, please elaborate on the changes.

a. _____

_____

b. _____

_____

6. What do you expect in the way of change in Employee-Management relations in the federal public service of Canada in the next 3 to 5 years?

_____

_____

_____

_____

Part II:

1. How would you describe the bargaining relationship with the government than what it is in the private sector?

   Just the same _____ Easier _____ Difficult _____

2. Please check one.

   Government as employer, (with respect to collective bargaining)

   Maintains its neutrality _____

   Fails to maintain its neutrality _____

   Actually takes advantage of the situation _____

3. Would you like to see any part of PSSRA amended?

   Yes _____ No _____

   If yes, please explain _____

   _____

   _____

   _____

APPENDIX C

Faculty of Business Administration and Commerce,
The University of Alberta,
Edmonton 7, Alberta, Canada.

August 4, 1970.

I am a graduate student conducting an unofficial survey concerning the impact of "The Public Service Staff Relations Act, 1967". The result of this survey will be a part of my thesis. I believe my graduate work in employee relations in the federal public service of Canada should be one of the first efforts in this area by a neutral party since the enactment of PSSRA. I hope the result will be of value to employee organizations as well as the federal management.

Enclosed is a questionnaire, with self addressed, stamped envelope. Please comment on the questions relevant to your situation. My work is entirely dependent upon response from yourself and others from whom I am soliciting similar information. As I have no other means with which to obtain the information I require, your urgent consideration in filling out this questionnaire will be sincerely appreciated.

I wish to assure you that the response to this questionnaire will be treated in strict confidence and thank you in advance for your co-operation.

Sincerely yours,

Surjit S. Kamra.

SSK/fkj
Encl.

APPENDIX D

Faculty of Business Administration and Commerce,
The University of Alberta,
Edmonton 7, Alberta, Canada.

September 4, 1970.

About a month ago I forwarded you a questionnaire concerning the impact of "The Public Service Staff Relations Act, 1967".

According to my records your return has not come in yet. It may be that pressing matters would not permit you the time to accede to my original request when it arrived and the matter was overlooked. I am in hopes that this was the case and that perhaps you could now help in completing the study by forwarding your information. In case you lost the original, I am enclosing another copy of the questionnaire.

If you have recently forwarded the completed questionnaire to me, please disregard this letter.

Thanking you, I am,

Yours sincerely,

Surjit S. Kamra.

SSK:vs
Encl.

APPENDIX E

AN ANALYSIS OF RESPONSES TO THE EMPLOYEE ORGANIZATIONS QUESTIONNAIRE

Question	Yes Per cent	No Per cent	No Answer
Increase in membership of local/component	74	13	13
Better Communication	66	20	14
Increase in the volume of grievance petitions	60	40	-
Satisfied with collective agreements signed	66	14	20
Would recommend the same process of dispute settlement	74	13	13
The PSSRA needs amendment	46	27	27

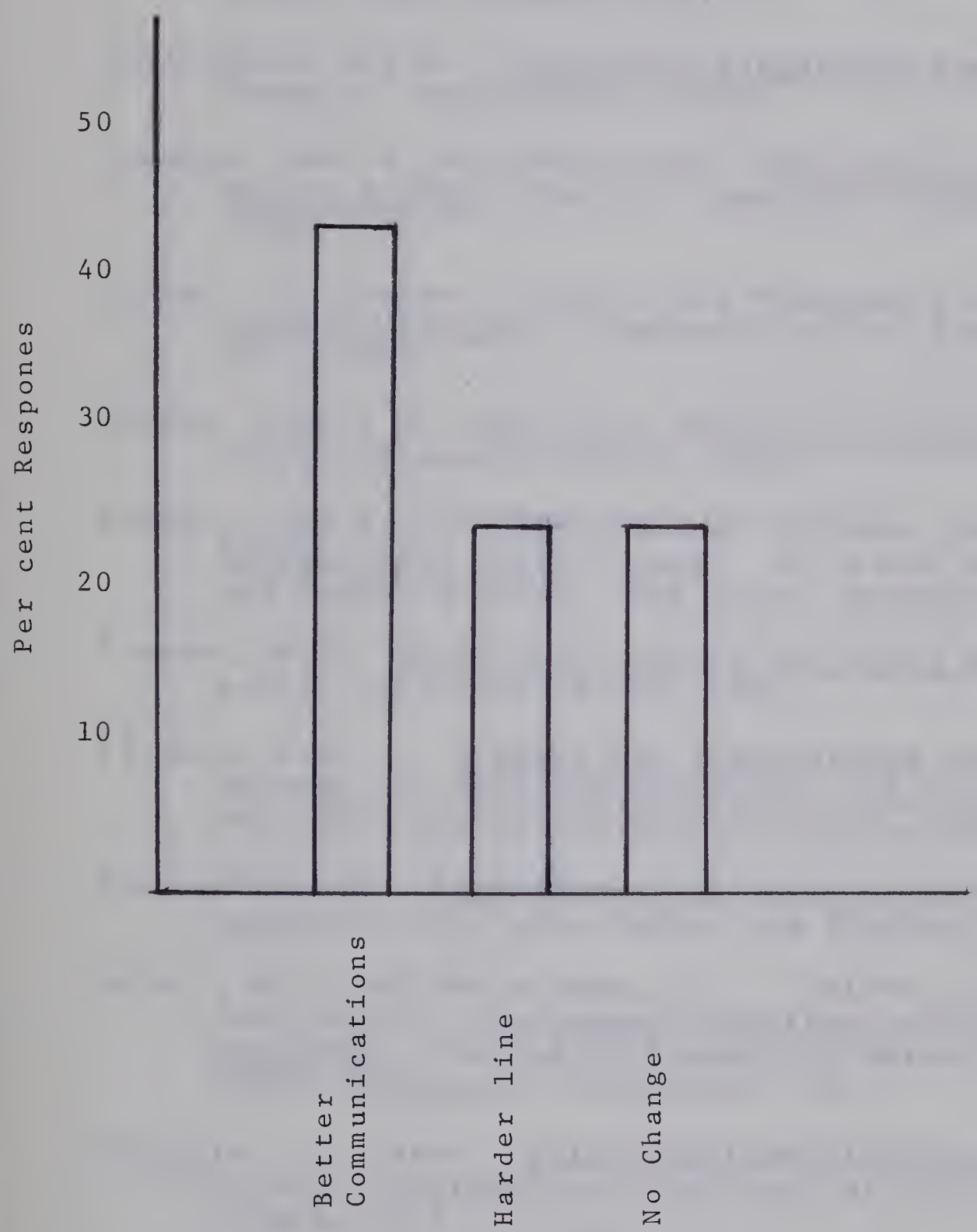
	Just the same Per cent	Easier Per cent	Difficult Per cent	No Answer Per cent
Government's bargaining relationship with its employees as compared to what it is in the private sector	6	6	76	12

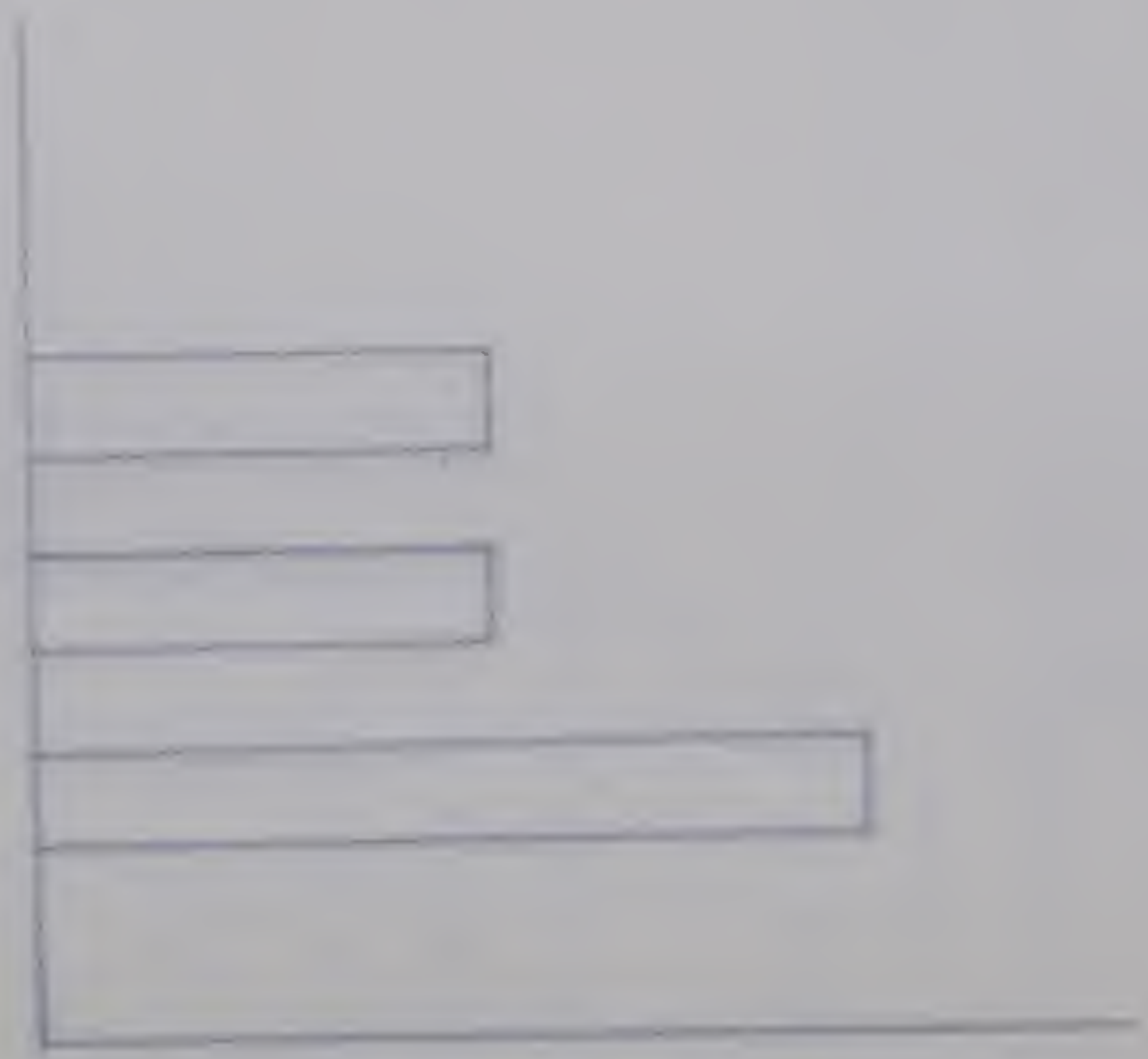
	Maintain Neutrality Per cent	Fails to Maintain neutrality Per cent	Take Advantage of Situation Per cent	No Answer Per cent
Government in its dealing with employees (with respect to collective bargaining)	27	13	47	13

APPENDIX E (continued)

Probable Changes in the Employee-

Management Relationship





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